

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1756 of 2021

Arising Out of PS. Case No.-171 Year-2018 Thana- KHANPURA District- Samastipur

MANI KANT MAHTO, S/o Late Banarsi Mahto, R/v Shadipur Tol
Govindpur, P.S. Khanpur, District, Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar, Advocate

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 17-02-2021 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 341, 323, 302, 307 and 504 of the Indian Penal Code.

Earlier also, petitioner had moved this Court for grant of regular bail which was rejected vide Annexure 1 with direction to the court below to expedite and conclude the trial within nine months, and if trial is not concluded within aforesaid period, petitioner would be at liberty to renew his prayer for bail.

Informant has alleged in her written complaint that on account of some dispute with respect to bursting of firecrackers, petitioner Mani Kant Mahto assaulted his son Rahul Kumar by Lathi on his head as well as on other parts of body, as a result of which he became grievously injured and was taken to Hospital



where he succumbed to injuries.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. It is further submitted that date of occurrence is 07.11.2018 and FIR was lodged on 21.11.2018 after delay of 14 days which creates doubts about the authenticity of prosecution story. It has been submitted that petitioner is in custody since 22.11.2018 and trial has not been concluded so far. Petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with S.T. No.170/2019 arising out of Khanpur P.S. Case No. 171/2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond



shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

U		T	
---	--	---	--

