

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39095 of 2020**

Arising Out of PS. Case No.-222 Year-2018 Thana- BHAGWANPUR District- Vaishali

SAKINDRA MAHTO @ SATENDRA MAHTO SON OF SARYUG  
MAHTO RESIDENT OF VILLAGE - RASULPUR PATTI, P.S. -  
BHAGWANPUR, DISTRICT - VAISHALI

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Krishna Chandra, Advocate

For the Opposite Party/s : Mr. Atul Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      10-02-2021                      Heard learned counsel for the petitioner and Mr. Atul  
Chandra, learned A.P.P. for the State.

The petitioner in the present case is seeking regular bail  
in connection with Bhagwanpur P.S. Case No. 222 of 2018  
registered for the offences punishable under Sections 414, 420 and  
34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the  
petitioner is innocent and has falsely been implicated in this case.  
Learned counsel submits that though different articles have been  
found from the house but the petitioner is not staying there and he  
is working as raj mistri at Mumbai since last 10 years. It is  
submitted that the petitioner is in judicial custody since  
24.08.2020.

Mr. Atul Chandra, learned A.P.P. for the state is present



and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case, wherein it is the submission of learned counsel for the petitioner that different articles have been found from the house in which the petitioner is not staying and that he has been working as raj mistri at Mumbai since last 10 years and further that the petitioner has remained in jail in connection with this case since 24.08.2020, investigation against him is complete and it is not the submission of the learned A.P.P. for the State that his release is likely to result in tampering with the evidence or interfering with the course of trial, the petitioner is said to have one criminal antecedent in which he is on bail, let the petitioner above named be released on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Vaishali, Hajipur in connection with Bhagwanpur P.S. Case No. 222 of 2018 subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and



(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic.

**(Rajeev Ranjan Prasad, J)**

Rishi/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

