

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4147 of 2021

Arising Out of PS. Case No.-1051 Year-2019 Thana- SONEPUR District- Saran

Dilip Mahto Son of Upendra Mahto Resident of Village-Gardhi Mohanpur,
P.S.-Pupari (Mohanpur O.P.), District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra

For the Opposite Party/s : Mr. Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 16-03-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Sonepur P.S. Case No. 1051 of 2019 (Ex. Trial No. 44/2020), registered for the offence under Sections 323/504/354B of the Indian Penal Code and section 37(c) of Bihar Prohibition and Excise Act.

As per the prosecution case, this petitioner, who is brother-in-law of the informant, entered into the house of informant in a drunken condition, and committed *Maarpit* with the wife of the informant, as a result of which, she became half naked and got injured.

It is submitted on behalf of petitioner that petitioner, who is brother-in-law of informant, went to his *sasural* due to some family dispute, but he was falsely implicated in this case and was handed over to the police. Petitioner has no criminal antecedent and he is in custody since 28.12.2019. Chargesheet has already been submitted.



Considering the aforesaid facts & circumstances and period of custody, the bail application of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge, Excise, Saran in connection with Sonapur P.S. Case No. 1051 of 2019 (Ex.trial no. 44/2020), on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

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

(Prabhat Kumar Singh, J.)

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