

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45487 of 2021

Arising Out of PS. Case No.-169 Year-2020 Thana- LADANIA District- Madhubani

Badri Narayan Mahto Son of late Sagam Lal Mahto Resident of Village -
Gadha, P.S.- Ladaniya, Dist.- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar

For the Opposite Party/s : Mr. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks. In the eventuality of
non-removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 323, 341,
354, 379, 504, 506 and 34 of the Indian Penal Code.

Petitioner is said to have attacked on the informant
with farsa and abused him resultantly he received injury.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and has been falsely
implicated in this case. He submits that this case is counter blast
of Ladaniya P.S. Case No. 159 of 2020. He submits that



occurrence took place on 09.08.2020 but FIR was lodged on 20.08.2020 without any explanation of delay. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Considering the facts that there is delay in lodging the FIR, the above named petitioner in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Ladaniya P.S. Case No. 169 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with further conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to who he is related with the petitioner. He will also undertake to inform the court if there is any change in the address of the petitioner.

(II) that the petitioner will be well represented on each



and every date fixed in the case and if he fails to do so on two consecutive dates his bail bonds shall be liable to be cancelled.

(III) that the petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(IV) that the bailor shall also stated on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J)

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