

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64336 of 2022

Arising Out of PS. Case No.-306 Year-2019 Thana- MADHAURAH District- Saran

Sahdeo Mahton, Son Of Shiv Charan Mahton Resident Of Village - Osaiya
East Tola, P.S.- Barhanra, District - Saran.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 461,
379, 411 of the Indian Penal Code.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that accused Ram Babu Mahto was apprehended, who
disclosed the name of accused persons including the petitioner,
who fled on seeing the police and were involved in committing
theft of iron from sugar mill.

The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is next submitted



that his name transpired in the confessional statement of apprehended accused Ram Babu Mahto in police custody, which does not have any evidentiary value. It is also submitted that at the cost of repetition that petitioner is a person with clean antecedent. The learned counsel further submits that the petitioner will not evade the law and will cooperate in the investigation and will present himself as and when required by the Investigating Officer of the case.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Medaura P. S. Case No.306 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C. with a condition that one of the bailors of the petitioner shall be his father namely, Shiv Charan Mahton.



The application stands allowed.

However, if the Investigating Officer of the case files an application bringing to the notice of the learned trial Court that the petitioner despite giving assurance to this court is not appearing or presenting himself when called, the learned trial Court after giving an opportunity of hearing to the petitioner shall pass order in accordance in law and will also have the liberty to cancel his bail bonds.

The learned trial Court is directed to send a copy of this order to the concerned Police Station.

(Satyavrat Verma, J)

vikash/-

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

