

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24594 of 2023

Arising Out of PS. Case No.-54 Year-2020 Thana- VIDYAPATINAGAR District- Samastipur

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Vinod Mahto S/O- Late Vinod Mahto Village- Sherpur PS- Vidyapatinagar
Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prem Prakash Poddar, Advocate

For the Opposite Party/s : Mr.Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 10-05-2023 So far the objection of the office that the report has not been received as yet is overruled and the matter is ready for hearing.

2. Heard learned counsel appearing on behalf of the petitioner and learned A.P.P. for the State.

3. The petitioner seeks regular bail in connection with Vidhyapatinagar P.S. Case No. 54 of 2020 dated 21.03.2020 for the offences punishable under Sections 307, 341, 504/34 of the Indian Penal Code and later on added Section 302 of the Indian Penal Code.

4. Learned counsel appearing on behalf of the petitioner informs this Court that no substantial progress has taken place in conduct of the trial, as such the petitioner has renewed the prayer for grant of regular bail.



5. Allegation made in the FIR against the petitioner is that he is order-giver and the main accused Deepak Mahto had killed the husband of the informant.

6. Learned A.P.P. appearing for the State has opposed the prayer for grant of regular bail to the petitioner.

7. Considering the fact that no circumstantial progress has taken place in conduct of the trial as well as the fact that the petitioner is in custody since 24.11.2020, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge IXth, Samastipur in connection with Vidhyapatnagar P.S. Case No.54 of 2020 and Sessions Trial No.204 of 2021, subject to the following conditions:-

- (I) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (II) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court concerned.
- (III) If the petitioner tampers with the evidence or the witnesses of the case, the prosecution will be at liberty to move for cancellation of bail of the petitioner.
- (IV) If the petitioner is found involved in similar nature of offences, after his release on bail, the trial court shall take steps to cancel his bail bond.
- (V) The court below is directed to verify the criminal antecedent of the petitioner and if it is found that



the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically loose its force.

(VI) The petitioner will make his attendance before the concerned police station under which his house is located every week at 9:00 AM on Tuesday till conclusion of the trial and on any single default without any valid reasons on the part of the petitioner, his bail bond shall be cancelled and the concerned SHO of the police station shall submit his monthly attendance report to the Superintendent of Police, Samastipur.

(Purnendu Singh, J)

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