

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31483 of 2023

Arising Out of PS. Case No.-342 Year-2022 Thana- PANAPUR District- Saran

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MUNNA KUMAR MAHTO SON OF BHOLA MAHTO Resident of Village-
Pokhrera, Police Station-Taraiya, District-Saran at Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Narendra Kumar, Advocate
For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner is an accused in connection with
Panapur P.S. Case No. 342 of 2022 registered for the offences
under sections 413, 414 and 34 of the Indian Penal Code lodged
on 19.12.2022 by the informant, Vikash Kumar Singh.

The prosecution case, in brief, is that informant
alleged Vikash Kumar Singh that on 19.12.2022 at about 17.15
P.M., he proceeded from police station alongwith other police
officials for vehicle checking.

In course thereof, he received a secret information
that three boys are coming from on a white coloured Apache



Motorcycle which is a stolen motorcycle. On receiving the aforesaid information, he informed his Senior Officers for the same and thereafter, checking of vehicle started. After some time, white coloured motorcycle came from the side of Panapur with three persons sitting on it. They tried to turn the motorcycle and escape but while turning, the motorcycle slipped there under which, the leg of one boy was crushed. However, two of them managed to escape from the spot. He was the petitioner herein who gave the names of two as Pintu Kumar Mahto and Raj Kumar Mahto.

The informant demanded the paper and documents of the alleged motorcycle did not get any satisfactory answer. In the presence of two independent witnesses, seizure list was prepared and FIR lodged.

Learned Counsel for the petitioner submits that he was a passer by and the accused persons in a bid to escape collided with him as a result, the motorcycle fell on him. While the accused escaped, this petitioner was falsely implicated and was also forced to give two names.

Learned APP for the State, on the other hand, opposes the prayer for bail.

Considering the fact that he has remained in custody



since 20.12.2022, he is a young boy of 19 years, will ultimately face the trial, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, IInd, Saran at Chapra in connection with Panapur P.S. Case No. 342 of 2022, subject to the following conditions-:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;



(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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