

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73216 of 2022

Arising Out of PS. Case No.-148 Year-2022 Thana- BAIKUNTHPUR District- Gopalganj

Badri Mahto S/o Chandrama Mahto, Resident of Village- Katalpur, P.S.-
Baikunthpur, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Prasad Singh, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 25-03-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Baikunthpur P.S. Case No. 148 of 2022, lodged under Sections
413/414/34 of the Indian Penal Code.

As per prosecution case, there are in total 7 persons
including the present petitioner who are made accused in this
case. The allegation against the petitioner is that he was helping
in the disposal of theft materials.

Learned counsel for the petitioner submits that there is
one antecedent of petitioner, in which, he is on bail and he is in
custody since 03.06.2022. He further submits that the sections in

which the present case has been filed are magisterial triable.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Baikunthpur P.S. Case No. 148 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of

this condition shall be resulted into cancellation of his present
bail bond.

With this observation, the bail application stands
allowed.

(Dr. Anshuman, J.)

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