

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17206 of 2024

Arising Out of PS. Case No.-50 Year-2023 Thana- DEOKUND District- Aurangabad

Kapil Mahto S/o Late Sheo Narayan Mahto R/o Village- Shital Dhari Bigha,
P.O.- Hathiara, P.S.- Deo Kund, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Deokund P.S. Case No.50 of 2023, lodged on 25.10.2023,
under Sections 307/379/341/323/324/325/504/506/34 of the
Indian Penal Code.

3. As per the prosecution, FIR has been lodged against
seven named accused persons including the present petitioner
against whom allegation of abuse and assault are made.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that the specific allegation of assault is against co-
accused Baban Mahto and Rajesh Mahto. Counsel further
submits that allegation against the petitioner is of snatching



golden chain from the neck of the informant. Counsel further submits that the informant and petitioner side belong to the same village and due to village politics the present case has been lodged. For the same date and place of occurrence there are two criminal cases have been filed. From the petitioner side Deokund P.S. Case No.51 of 2023 and from the informant side Deokund P.S. Case No.50 of 2023 have been lodged. The petitioner is in custody since 10.12.2023 having no criminal antecedent.

5. Learned counsel for the State opposes the prayer for bail.

6. 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 S.D.J.M., Daudnagar, Aurangabad, in connection with Deokund P.S. Case No.50 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other 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 bonds by the Trial Court itself;

(iii) The petitioner shall appear before the concerned police station every month for 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 evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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.

(Dr. Anshuman, J)

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