

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79488 of 2023

Arising Out of PS. Case No.-297 Year-2023 Thana- KARJA District- Muzaffarpur

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Raj Kishore Mahto S/O Madan Mahto R/O Village- Mansurpur Chamarua,
P.S- Karja, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Nitu Kumari

For the Opposite Party/s : Mr. Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 328, 354(B)/34 of the
Indian Penal Code.

3. As per the prosecution case, the petitioner along
with other co-accused persons caught her informant's daughter
with bad intention and made her to drink unconscious drug.
Somehow the victim managed to run away from there.

4. Learned counsel for the petitioner submits that
no such occurrence as alleged ever took place. He is quite
innocent and has been falsely implicated in this case. The
allegation levelled against the petitioner is not specific rather
general and omnibus in nature. He submits that the victim has



not been medically examined and thus there is no medical report supporting the allegation against the petitioner. He further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 03.04.2024 passed in Cr. Misc. No. 80349 of 2023. The petitioner has two criminal antecedents and has been languishing in custody since 28.08.2023.

5. Learned APP for the State opposed the bail petition.

6. Considering the facts aforesaid and the custody of the petitioner, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Karja (Karza) P.S. Case No. 297 of 2023 subject to the following conditions :

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.



(iii) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(iv) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(v) The petitioner will mark his attendance in the local police station in first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

Anjani Kumar Sharan, J)

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