

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5815 of 2015

Arising Out of PS.Case No. -208 Year- 2014 Thana -BEGUSARAI TOWN District- BEGUSARAI

=====

Amit Kumar @ Amit Mahto Son of Sunil Mahto @ Chhote Mahto
Resident of Mohalla - Bagha, P.S. Nagar (Lohiya Nagar O.P.), District -
Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s :

For the Opposite Party/s

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 11-02-2015

Heard both sides.

The petitioner apprehends his arrest in a case registered under Sections 341, 323, 147, 386, 504 of the Indian Penal Code and Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The informant named the petitioner and alleged that while he was collecting tax from auto rickshaw, the petitioner Amit Mahto, Deepal Mahto and 4-5 other persons came and demanded extortion. They also assaulted him by naming his caste. In the meantime, the police came and arrested Deepal Mahto.

Learned counsel for the petitioner submits that on the same day, Manoj Kumar Mahto @ Mithi Mahto, the driver of the uncle of Deepal Mahto, lodged Begusarai Town P.S. Case No. 210/2014 under Sections 384/34 IPC against the informant

Kanchan Paswan. The petitioner never demanded any extortion nor abused the informant.

On perusal of the records, it appears that the informant was authorized to collect tax from auto rickshaws but the petitioner and Deepal Mahto, owner of a auto rickshaw, came and assaulted the informant with fists and slaps and also abused by naming his caste. Deepal Mahto was apprehended on the spot and thereafter the driver of the uncle of Deepal Mahto lodged Begusarai Town P.S. Case No. 210 of 2014.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail in Begusarai Town P.S. Case No. 208/2014. Hence, the same is rejected.

The petitioner is directed to surrender in the court below and make a prayer for regular bail. The court below shall consider the same on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J)

Dilip/-

U		T	
---	--	---	--