

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3934 of 2015

Arising Out of PS.Case No. -217 Year- 2013 Thana -BARH District- PATNA

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Davindra Mahto S/o Shankar Mahto Resident of Mubarakpur, P.S. Barh,
District Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey

For the Opposite Party/s : Mr. Sadanand Paswan (Spl. Pp)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-05-2015 The petitioner is apprehending his arrest in connection

with Barh P.S.Case No. 217/2013 instituted under Sections 341,

323, 302/34 of the Indian Penal Code and Section 3(i) (x) of

SC/ST Act.

Heard learned counsel for the petitioner and the State.

The prosecution story, in brief, is that the informant
got information by his younger daughter on 06.08.2013 through
mobile that his brother has died at Barh Hospital. He got
information at 9 A.M. and at that time he was at Patna. As soon
as he got information he and his wife arrived at Bar Hospital. He
stated that his cousin uncle Anugrah Das @ Johan Das told him
about occurrence that accused Anup Mahto s/o late Kameshwar
Mahto and Kanhai Mahto s/o Shankar Mahto and other villagers
having made hue and cry like Chor Chor and brutally assaulted

by iron rod, lathi and brick bats and in course of treatment he died.

It has been submitted on behalf of the petitioner that he has falsely been implicated in the present case. Further the petitioner is not named in the FIR. It has further been submitted that other co accused, namely, Jehan Mahto and Kanhai Mahto have been granted anticipatory bail by this Court vide order dated 15.05.2014 in Cr. Misc. No.52954 of 2013 and Sapindra Mahto has been granted anticipatory bail vide order dated 26.09.2014 in Cr. Misc. No. 26223 of 2014.

It has been submitted on behalf of the State that there is specific allegation made against the petitioner.

Considering the aforesaid facts, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of eight weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.,Barh, District- Patna, in connection with Barh P.S.Case No. 217 of 2013, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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