

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54888 of 2015

Arising Out of PS.Case No. -82 Year- 2015 Thana -BISHUNPUR District- DARBHANGA

Mithlesh Mahto Mithilesh Mahto S/o Rambriksh Mahto; Resident of
Village Dilahi, P.S.- Bishanpur, District- Darbhanga.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

3 25-01-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Bishanpur P. S. Case No. 82 of 2015 registered under Sections
341, 323, 354-B, 380, 448, 504 and 506 of the Indian Penal
Code.

It is contended that there is case and counter case in
which members of both the sides sustained injuries. It is further
contended that during investigation, no witness has supported
the allegation that the petitioner ever tried to outrage the
modesty of the informant.

I have perused the allegation made in the FIR and the

material collected in course of investigation. It would be evident from para-2 of the case-diary that the informant has fully corroborated the allegation in her further statement. Furthermore, from perusal of para-5 of the case-diary, it would appear that witness Ram Kishor Mahto has made a categorical statement under Section 161(3) of the Code of Criminal Procedure that the petitioner assaulted with iron rod as a result of which three persons, namely, Shambhu Mahto, Meena Devi and Ram Birot Mahato sustained injuries upon their person.

In view of the aforesaid allegations, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, the application for anticipatory bail is rejected.

In case, the petitioner surrenders and seeks bail, the same shall be considered on its own merit without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J.)

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