

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25118 of 2016

Arising Out of PS.Case No. -22 Year- 2013 Thana -KATEYA District- MUZAFFARPUR

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Raju Mahto @ Raju Kumar Mahto Son of Sone Lal Mahto resident of
village - Saghanpura, P.S. Kathaiya, District - Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bela Singh

For the Opposite Party/s : Mr. Narsingh Tanti(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

5 20-08-2016

Learned counsel for the petitioner has submitted that
the statement made in paragraph 13 has been mistakenly typed.
She seeks permission to delete the said statement.

Such permission is granted.

Heard learned counsel, appearing on behalf of the
petitioner, and the learned Additional Public Prosecutor,
appearing on behalf of the State.

This application for grant of anticipatory bail arises
out of Kathaiya P.S. Case No. 22/2013, disclosing offences
under Sections 147, 148, 149, 341, 323, 324, 379, 392/120B of
the Indian Penal Code.

Learned counsel for the petitioner has submitted that
no specific role is attributable to this petitioner and there is
specific allegation of assault against co-accused Sipahi Mahto.

She has submitted that even in course of investigation it has come that the petitioner did not participate in commission of crime and the petitioner was merely found to be present at the place of occurrence.

On perusal of paragraph 36 of the case diary it appears that one of eye witnesses has said in his statement under section 161 of the Cr.P.C. that the petitioner had come almost after the occurrence had taken place without unarmed.

Considering the above submissions, this application is allowed.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six weeks from today, 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 the Sub-divisional Judicial Magistrate, West Muzaffapur in connection with Kathaiya P.S.Case No. 22/2013, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his

bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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