

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22786 of 2017

Arising Out of PS.Case No. -38 Year- 2010 Thana -MAKER District- SARAN

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Ramayan Mahto, Son of Shivpujan Mahto, Resident of Village- Jamalpur,
P.S. Maker, District- Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajesh Kumar, Advocate

For the Opposite Party : Mr. Sri Dilip Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 07-07-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with Maker P.S. Case No. 38 of 2010, registered for the offences
punishable under Sections 147, 148, 149, 427, 395, 452, Section
27 Arms Act, Section 17 C.L.A. Act and Section 3/4 Explosive
Substance Act.

Allegedly, the petitioner and other F.I.R. named
accused persons were making slogan being armed with “*Maobadi*
Jindabad” and Chandeshwar Sahni and Kishori Rai exploded the
house of the informant and thereafter accused persons took away
all the articles of the house.

Submission is of false implication and that only on



suspicion the petitioner has been implicated, there is no legal and tangible material against the petitioner, against the petitioner there is no allegation for exploding the house and only he was the member of the mob and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail by submitting that the petitioner is named in the F.I.R. and he was involved in committing the crime.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected in connection with Maker P.S. Case No. 38 of 2010, pending in the Court of learned Chief Judicial Magistrate, Saran at Chapra.

(Jitendra Mohan Sharma, J.)

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