

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40206 of 2017

Arising Out of PS.Case No. -100 Year- 2017 Thana -KAUAKOL District- NAWADA

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1. Moti Mahto @ Manoj Kumar Mahto son of Sukhdeo Mahto, resident of Village- Bijho, P.S.- Kawakole, District Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur, Adv.

For the Opposite Party/s : Mr. Smt. Pushpa Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 03-11-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Kawakole Police Station Case No. 100 of 2017, disclosing offences under Sections 341, 324, 307, 504, 323, 506/ 34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that there is general and omnibus allegation against this petitioner and no specific overt act is attributed to him. The specific allegation is leveled against co-accused Bittu Mahto. Moreover, the occurrence is of 02.06.2017 whereas the F.I.R. has been lodged on 20.06.2017 after lapse of 18 days without explaining the plausible delay, which itself creates doubt over the



prosecution version. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six 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 Additional Chief Judicial Magistrate, Nawada, in connection with Kawakole Police Station Case No. 100 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J.)

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