

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22491 of 2017

Arising Out of PS.Case No. -32 Year- 2017 Thana -SIDHWALIA District- GOPALGANJ

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1. Mintu Mahto @ Mitu Mahto,
2. Mantosh Mahto,
Both Son of Late Kapil Mahto, Resident of Village- Salempur, P.S.-
Sidhwaliya, District- Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey

For the Opposite Party/s : Mr. Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 20-07-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are apprehending their
arrest in connection with Sidhwaliya P.S. Case No. 32 of 2017
registered for offences under sections 147, 148, 149, 341, 323,
324/307 of the Indian Penal Code.

As per First Information Report, there is an allegation
against the petitioner no.1 Mintu Mahto @ Mitu Mahto that he has
assaulted with fist and slaps. So far petitioner no.2, namely,
Mantosh Mahto is concerned, there is specific allegation against
him to have caused Farsa and Tangi blow over the head.

Looking to the entire facts and circumstances of the



case, let the petitioner no.1, namely, Mintu Mahto @ Mitu Mahto, in the event of his arrest or surrender before the court below within a period of four 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 Additional Chief Judicial Magistrate-VIII, Gopalganj in connection with Sidhwaliya P.S. Case No. 32 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

There being direct allegation against the petitioner no.2, this Court is not inclined to grant privilege of anticipatory bail to him. Accordingly, the prayer for anticipatory bail of the petitioner no.2, namely, Mantosh Mahto is rejected.

If the petitioner no.2 surrenders before the court below and prays for bail, the court below will consider the prayer for bail and will pass orders in accordance with law without being prejudiced by this order.

(Shivaji Pandey, J)

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