

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34814 of 2017

Arising Out of PS.Case No. -64 Year- 2017 Thana -MANIHARI District- MUZAFFARPUR

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Lal Babu Mahto @ Doctor, S/o late Dhaturi Mahto, Resident of Village-Silaut Jainarayan, P.S. Maniyari, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate.

For the Opposite Party/s : Mr. Parmanand Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-09-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Maniyari P.S.

Case No. 64 of 2017 instituted for the offence under Sections 147, 148, 149, 341, 323, 332, 333, 307, 337, 353, 427 and 435 of the Indian Penal Code.

Counsel for the petitioner has submitted that there is general and omnibus allegation against the petitioner. He was merely alleged to be present in the mob of 300-350 persons. There is no any allegation of overt act against the petitioner.

It has been submitted that another case for the same occurrence has been lodged against the petitioner, in which he has been granted anticipatory bail by a coordinate Bench of this Court vide order dated 23.08.2017 passed in Cr. Misc. 32743 of 2017.



Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Maniyari P.S. Case No. 64 of 2017, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Nayan Kumar, Judicial Magistrate, 1st Class, Muzaffarpur, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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