

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56317 of 2017

Arising Out of PS. Case No.-53 Year-2016 Thana- BASOPATTI District- Madhubani

Pradeep Kumar Mahto , Son of Bharat Mahto, Resident of village-
Babhandei Chauk, Basopatti, P.S.- Basopatti, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Sri Binod Kumar
		Sri Sanjay Kumar
For the Opposite Party/s :		A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 04-12-2017 Heard Sri Binod Kumar, learned counsel , assisted by Sri Sanjay Kumar , learned counsel for the petitioner and learned Additional Public Prosecutor.

The sole petitioner, who is in custody since 28.10.2017 in connection with Basopatti P.S. Case No. 53 of 2016, G.R. No. 755 of 2016 registered for the offence under Section 147, 149, 341, 323, 427, 353, 504 of the Indian Penal Code, 1860 and Section 53, 61 of the Bihar Excise (Amendment) Act , 2016, has prayed for grant of bail.

It was submitted by learned counsel for the petitioner that earlier petitioner after noticing the fact that he was made accused in the present case had approached this court for grant of anticipatory bail, however his anticipatory bail was



permitted to be withdrawn with observation that petitioner may appear before the court below and pray for regular bail vide order dated 21.09.2017 in Cr. Misc. No. 37586 of 2017. It has been argued that in view of order of this court petitioner surrendered before the court below and since then he is in custody. He further submits that in the case no recovery was shown but allegation was made as if Police party were assaulted by accused persons. He has also drawn my attention to the statement made in paragraph no. 3 of the petition to show that petitioner is having clean antecedent.

Considering the nature of accusation, period of custody as well as clean antecedent of the petitioner, let the petitioner Pradeep Kumar Mahto be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge – II – cum – Special Judge Excise, Madhubani / concerned court in connection with Basopatti P.S. Case No. 53 of 2016, G.R. No. 755 of 2016 .

(Rakesh Kumar, J)

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