

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7815 of 2018

Arising Out of PS.Case No. -310 Year- 2017 Thana -PATORI District- SAMASTIPUR

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1. GAYA PRASAD MAHTO @ GAYA MAHTO, S/o Late Thakur Mahto,
 2. Nawal Kishore Mahto @ Nawal Kishor Mahto @ Nawal Mahto @ Gaya Prasad Mahto @ Gaya Mahto,
 3. Shashindra Prasad Mahto @ Shashendra Prasad Mahto @ Shashindra Prasad Yadav, @ Shashendra mahto S/o Gaya Prasad Mahto @ Gaya Mahto, All are R/o Village- Jalapur, P.S.- Patori (Mohanpur O.P.), District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ramakant Sharma, Sr. Advocate
Mr. Dilip Kumar Roy
For the State : Mr. Ram Priay Saran, APP
For the O.P. No.2 : Mr. Deepak Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 02-04-2018 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Patori (Mohanpur O.P.) P.S. Case No. 310 of 2017 for the offence registered under Sections 323, 324, 307, 379, 354(B), 447, 147, 148, 149, 341, 427 & 504 of the Indian Penal Code.

After some arguments, the learned senior counsel for the petitioners seeks to withdraw the present petition as far as the petitioner nos. 2 and 3 are concerned.

Accordingly, the present petition qua the petitioner nos. 2 & 3 is concerned, is disposed of as withdrawn.



The case of the prosecution is that the petitioners herein engaged in assaulting the prosecution side resulting in injuries to the prosecution side.

The learned senior counsel for the petitioner no. 1 submits that the petitioner no. 1 is 80 years old, hence he was not in a position to assault anyone.

Per contra, the learned counsel for the informant has vehemently has opposed prayer for bail.

Having regard to the facts and circumstances of the case, I deem it fit and proper to admit the petitioner no. 1, namely, Gaya Prasad Mahto @ Gaya Mahto to the privilege of anticipatory bail in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with Patori (Mohanpur O.P.) P.S. Case No. 310 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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