

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5842 of 2018

Arising Out of PS.Case No. -334 Year- 2014 Thana -BIHTA District- PATNA

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Tup Mahto S/o Moti Mahto, R/o Village- Banpura, P.S.- Bihta, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kanhaiya Pandey

For the Opposite Party/s : Mr. Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 21-02-2018 Heard the learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks anticipatory bail in connection with Bihta PS case no. 334 of 2014 registered for the offences punishable under Sections 302/379/34 of the Indian Penal Code.

The case of the prosecution is regarding the accused persons killing the husband of the informant.

The learned counsel for the petitioner submits that the main allegation is against co-accused Dharmendra Bhagat, who is said to have stabbed at the chest of the husband of the informant with knife and he is in custody at the moment. The learned counsel for the petitioner further submits that no specific allegation has been levelled regarding any overt act and the petitioner is having a clean antecedent.



Having regard to the facts and circumstances of the case, in the event of arrest or surrender before the concerned court within a period of six weeks from the date of receipt/production of a copy of the present order, the petitioner above named is directed to be released on anticipatory bail on furnishing bonds of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, I, Danapur, Patna in connection with Bihta PS case no. 334 of 2014, subject to the conditions laid down under Section 438(2) of Code of Criminal Procedure.

It is further directed that the petitioner shall join investigation and would be present as and when he is called by the investigating agency. Any non-cooperation with the prosecution will result in cancellation of the present privilege of anticipatory bail, for which the investigating Officer/ prosecuting agency shall be free to approach this Court.

It is also directed that the learned court below may consider for expediting the trial.

(Mohit Kumar Shah, J)

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