

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.21545 of 2018**

Arising Out of PS.Case No. -99 Year- 2017 Thana -SIMRIBAZAR District-  
DARBHANGA

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Santosh Mahto @ Santosh Kumar Mahto, son of Rama  
Mahto @ Ram Narayan Mahto Resident of Village -  
Madhopur, Police Station - Simri, District - Darbhanga.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ajay Thakur, Adv.

Mr. Md.Imteyaz Ahmad, Adv.

For the Opposite Party/s :Mr. Ram Priya Saran Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**

ORAL ORDER

2    26-04-2018                      The petitioner seeks bail in anticipation of his  
arrest in connection with Simri P.S. Case No. 99 of 2017,  
dated 22.08.2017, instituted for the offences punishable  
under Sections 341, 342, 323, 354, 448, 449, 436, 427, 307,  
379, 504 and 506/34 of the Indian Penal Code. Later,  
Section 302 of the Indian Penal Code has also been added.

During the course of argument, Mr. Ajay Thakur,  
learned Advocate for the petitioner, has pointed out that one  
of the accused persons in this case, viz. Vijay Mahto, who has



been saddled with similar allegation as that of the petitioner, has been granted bail by this Court *vide* order dated 09.01.2018, passed in Cr. Misc. No. 55982 of 2017.

In that view of the matter, learned Advocate for the petitioner is permitted to withdraw the petition in order to surrender before the learned Court below and seek bail, which shall be decided on its own merit, after taking into account the fact that the similarly situated co-accused person has been granted bail by this Court.

Dismissed as withdraw with the liberty aforesaid.

**(Ashutosh Kumar, J)**

Praveen-II/-

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