

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14986 of 2018

Arising Out of PS.Case No. -427 Year- 2017 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

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Bhikhu Mahton S/o late Rudal Mahto, R/o Village- Dhanwatiya Pipra Tola,
Gobrahia, P.S.- Yogapatti, District- West Champaran (Bettiah).

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Namrata Mishra, Adv.

Smt. Archana Jha, Adv.

For the Opposite Party/s : Sri Iftekhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 06-04-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends arrest in connection with
Yogapatti Police Station Case No. 427 of 2017 registered for the
offences punishable under sections 147, 148, 149, 341, 323, 324,
307, 354 (B), 379, 504 and 506 of the Indian Penal Code.

The allegation as per fard-beyan is that nine
persons named in the FIR brutally assaulted the informant
and her family members. It has been submitted that the
petitioner is alleged to be a member of the mob having
omnibus allegation. The specific allegation of assault is against
Rajendra Sah and Rajesh Sah and their prayer for anticipatory
bail has been allowed by a coordinate Bench of this Court



in Cr. Misc. No. 6889 of 2018. The case of the petitioner stands on similar footing as there is absolutely nothing against the petitioner and there is bonafide land dispute between the parties who are resident of same place. The petitioner has no concern with the said occurrence.

The learned Additional Public Prosecutor on the other hand, opposed the submission.

Considering the case of the petitioner stands on similar footing to the case of co-accused who are on bail, facts and circumstances of the case, the prayer of anticipatory bail is allowed and the petitioner above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bettiah, West Champaran in connection with Yogapatti Police Station Case No. 427 of 2017, subject to the condition as laid down under section 438 (2) of the Criminal Procedure Code. Further condition that (1) one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. (2) The petitioner will not induce any witness or tamper with the evidence. (3) The



petitioner shall cooperate in the disposal of trial and make himself
available as and when required by the court.

(Sanjay Kumar, J)

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