

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20047 of 2018

Arising Out of PS.Case No. -346 Year- 2017 Thana -ALOU LI District- KHAGARIA

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1. Ashok Mahto S/o Sri Choudhary Mahto, R/o Village- Chhoti Simraha,
P.S.- Alauli, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sinha

For the Opposite Party/s : Mr. Mr. Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 20-06-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Alauli P.S.Case No.346 of 2017 registered for offences punishable under Sections 147, 148, 341, 323, 325, 307 & 504 of the Indian Penal Code.

Allegation against the petitioner as per the FIR is that the accused persons surrounded the informant and started assaulting him. There is allegation of assault against the other accused persons also and there is also allegation that the petitioner dashed through the Tractor to Kamini Devi causing injury on her head due to that she received serious injuries.

Submission of the learned counsel for the petitioner is that Ashok Mahto has no way concern with the case and there is case



and counter case between the parties and para nos. 20, 21 and 37 show that the tractor was driven by one Rajiv Kumar and not by Ashok Kumar.

Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail stating that the petitioner has intentionally dashed the tractor to Kamini Devi causing her death. Even Kamini Devi has named this petitioner.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant anticipatory bail to the petitioner rather let the petitioner surrender before the learned court below within a period of four weeks from the date of receipt of the order and make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by the order of this Court.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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