

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60234 of 2018

Arising Out of PS. Case No.-62 Year-2018 Thana- ATHMALGOLA District- Patna

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Damodar Mahto, aged about 62 years, son of Late Banwari Mahto, resident of village- Sabnima, P.O. Sabnima, Police Station- Athmalgola, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.

For the Opposite Party/s : Mr. Md. Ashlam Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 28-09-2018 Heard Sri Ashok Kumar, learned counsel for the petitioner and Mr. Md. Ashlam Ansari, learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in Athmalgola P.S. Case No. 62 of 2018 registered for offence under Sections 341, 323, 504, 384, 34 of the Indian Penal Code, has prayed for grant of bail, in the event of his arrest or surrender.

Learned counsel for the petitioner, at the very outset, has drawn my attention to Annexure- 5 of the petition to show that in this case, at least two accused persons, namely, (i)Ashok Mahto @ Ashok Kumar and (ii) Arjun Kumar were granted anticipatory bail by the learned Addl. District and Sessions Judge-III, Barh itself. He further submits that while granting



bail to the aforesaid two accused persons, the learned court below had noticed that the informant had changed his stand from the F.I.R. and in his re-statement there was difference of amount. Besides this, the witnesses have not supported the prosecution case.

Besides hearing, I have also perused the material on record, particularly the statement made in paragraph-3 of the petition, which makes it clear that the petitioner is a habitual offender for such offence and, as such, I do not find any ground to pass favourable order.

The anticipatory bail petition stands dismissed.

(Rakesh Kumar, J.)

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