

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23426 of 2019

Arising Out of PS. Case No.-143 Year-2018 Thana- KHODAWANDPUR District- Begusarai

1. GANGA SAGAR MAHTO Son of Late Dhauli Mahto Resident of Village-Nurullahpur, P.S.- Khodawandpur, District- Begusarai
2. Raja Kumar @ Raja Babu Son of Ganga Sagar Mahto Resident of Village-Nurullahpur, P.S.- Khodawandpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Singh

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 11-04-2019 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Khodawantpur Police Station Case No. 143 of 2018, disclosing offences under Sections 448/341/323/307/379/354B/506/34 of the Indian Penal Code.

Learned Counsel for the petitioners appears to be correct in his submission that the injuries have been found to be simple in nature and the parties are on inimical terms, because of which exaggerated version of the occurrence has been mentioned in the First Information Report.

However, considering the fact that petitioner no. 1,



Ganga Sagar Mahto, has criminal antecedent, as disclosed in paragraph 3 of the application, his prayer for grant of anticipatory bail is rejected.

The petitioner no. 1, Ganga Sagar Mahto, is directed to surrender before the Court below within a period of four weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered by the learned Court below on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

This application, so far as petitioner no. 2 is concerned, is allowed.

Let the petitioner no. 2, Raja Kumar @ Raja Babu, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Manjhaul, Begusarai, in connection with Khodawantpur Police Station Case No. 143 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall



present himself before the police/Court, as the case may be, as
and when required and in the event of failure on his part to
appear before the Court on two consecutive occasions, his bail
bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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