

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53081 of 2019**

Arising Out of PS. Case No.-152 Year-2018 Thana- ISUAPUR District- Saran

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OM PRAKASH MAHTO, aged about 31 years, Male, Son of Faudar Mahto,  
Resident of Village - Bela, P.S.- Isuapur, District – Saran ... Petitioner

Versus

The State of Bihar

... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Arvind Kumar Pandey, Adv.

For the Opposite Party : Mr. Uday Pratap Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**

**ORAL ORDER**

2      26-08-2019                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with  
Isuapur P.S. Case No. 152 of 2018 for the offences alleged  
under Sections 147, 341, 323, 324, 379, 307 and 304 of the  
Indian Penal Code.

The accusation is that in the evening of 05.10.2018,  
informant, Rahul Kumar, along with his cousin brother,  
Mantosh Singh, were going to their village from Isuapur market,  
in the way his villagers, Teras Mahto, Arjun Mahto, Subhash  
Mahto, Bikau Mahto, Munna Mahto and Dhiraj Mahto came  
near them with intention to kill. At that time, Teras Mahto gave  
farsa blow at the head of Mahtosh Singh, cousin brother of the  
informant. Thereafter, Arjun Mahton also caused injury through  
farsa on the head of Mantosh Singh. His mobile was also  
snatched. He and his cousin brother were rushed to Primary  
Health Center, Isuapur, from where Mantosh Singh, due to  
seriousness, was referred to another hospital for treatment.



The submission of the learned counsel for the petitioner is that the petitioner is not named in the first information report. Due to dirty village politics, the informant disclosed the name of the petitioner in his re-statement in course of investigation. Petitioner has no criminal antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Isuapur P.S. Case No. 152 of 2018 shall be released on pre-arrest bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, IX, Saran at Chapra, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

**(Rajendra Kumar Mishra, J)**

Shamshad/-

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