

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.68945 of 2019**

Arising Out of PS. Case No.-255 Year-2012 Thana- KALYANPUR District- Samastipur

RAM VILASH MAHTO Son of Bujhawan Mahto Resident of Village -  
Gopalpur, P.S.- Kalyanpur, Distt - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bijay Bhushan Prasad

For the Opposite Party/s : Mr.Akshay Lal Pandit

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA  
ORAL ORDER**

2      04-11-2019      Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Kalyanpru P.S.Case No.255 of 2012 registered for offences punishable under Sections 147, 148, 149, 186, 283, 290, 291, 332, 333, 337, 338, 341,323, 325, 326, 307, 353, 427, 504 of the Indian Penal Code.

Case is of the year, 2012. Petitioner is named in the FIR along with several other accused persons and there is allegation of looting arsons against the petitioner and other accused persons.

Submission of the learned counsel for the petitioner is that he has been given benefit of Section 41A of the Cr.P.C. and he has not misused the same, however, later on charge sheet has been submitted and as such he has filed the present application.



Heard learned A.P.P. who has opposed the prayer for bail on the ground that the petitioner has to surrender and pray for regular bail as he has been granted benefit earlier of Section 41A of the Cr.P.C..

Having heard both sides and in view of the facts and circumstances, as stated above, this application is disposed of with direction tot he petitioner to surrender before the learned court below and make prayer for regular bail, which will be considered by the learned court below on the basis of submission that he had been granted earlier privilege of police bail under Section 41A of the Cr.P.C. And they have not misused the privilege of the same and there is general allegation against the petitioner and if possible dispose of the same on the same day.

With the aforesaid direction, this application is disposed of.

**(Vinod Kumar Sinha, J)**

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