

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81653 of 2019

Arising Out of PS. Case No.-105 Year-2017 Thana- HALSI District- Lakhisarai

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DHARMENDRA MAHTO @ BAHIRA Son of Siro Mahto @ Sidheshwar
Mahto Resident of Village- Kurhadih, P.S.- Sikandra, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Prasad

For the Opposite Party/s : Mr.Satyendra Narayan Singh

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Halsi P.S. Case No. 105 of 2017, registered for the offence punishable under sections 363, 365, 364 and 34 of the Indian Penal Code.

As per allegation made in the F.I.R., the brother of the informant who was on way to Lakhisarai, his motorcycle was found in an abandoned condition.

It is submitted by learned counsel for the petitioner that FIR was registered against un-known and the name of the petitioner transpired on the confessional statement of Gorelal, who has been enlarged on bail. It is further submitted that even



the victim returned safely to his house and in his statement under section 161Cr.P.C., he has not taken the name of the petitioner. It is further submitted that the case of the petitioner stands on similar footing to those of the co-accused, who have been enlarged on bail, some of the orders of which have been brought on record as Annexure-2 to the petition.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case and in view of grant of bail to co-accused Gorelal Mahto and also to other accused persons, this Court is inclined to grant bail to the petitioner and he is directed to surrender in the court below within a period of six weeks from today and in the event of his arrest or surrender, he shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Lakhisarai in connection with Halsi P.S. Case No. 105 of 2017, subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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