

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81458 of 2019

Arising Out of PS. Case No.-42 Year-2001 Thana- KHODAWANDPUR District- Begusarai

1. Mahipal Mahton Son of Ramratan Mahton
2. Guppa Mahto Son of Ramratan Mahton
Both residents of Village - Shahpur, Ward No. 6, P.S.- Khodawandpur,
District- Begusarai.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr.Sandip Kumar Gautam, Advocate
For the Opposite Party : Mr.Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor appearing on behalf of the State.

The petitioners are apprehending arrest in connection with Khodawandpur P.S. Case No. 42 of 2001 for offences under Sections 147, 148, 149, 448, 323, 324, 379, 504, 427 and 302 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners have no criminal antecedent. Referring to the impugned order of the learned Sessions Judge, learned counsel submits that after trial other accused persons have been acquitted. He submits that in view of the aforesaid development, the petitioners deserve anticipatory bail.



Since the case is of the year 2001, this Court is not inclined to grant the privilege of anticipatory bail to the petitioners. The application is, accordingly, dismissed.

However, liberty shall be available to the petitioners to surrender before the Court below and pray for regular bail.

If the petitioners surrender and pray for regular bail, the Court below shall consider and dispose of the application for regular bail filed on behalf of the petitioners in accordance with law on the same day.

(Anil Kumar Upadhyay, J)

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