

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4008 of 2020

Arising Out of PS. Case No.-162 Year-2018 Thana- KANHAULI District- Sitamarhi

Ram Babu Mahto, S/o Jhagaru Mahto, Resident of Village- Bara Tola
Laxminiya, P.S.- Kanhauli, Distt- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar

For the Opposite Party/s : Mr.Brajendra Nath Pandey

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

ORAL ORDER

2 04-02-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Kanhauli P.S. Case No. 162 of 2018, registered under Sections 147, 148, 149, 323, 324, 307, 353, 427, 447, 448, 452, 379, 380. 120B, 504, 506 and 193 of the Indian Penal Code and Section $\frac{3}{4}$ of the Damage to Public Property Act.

The accusation is that on 28.12.2018, informant being the SHO of Kanhauli Police Station was present at the police station and discharging his duty. At that time, some persons reached there and started to give pressure for apprehending to accused of Kanhauli P.S. Case No. 160 of 2018 then he tried to convince them that police is trying to apprehend the aforesaid



accused but 32 persons named in the FIR including the petitioner and 100 unknown male and female surrounded the police station and started to abuse and damage the property by putting fire.

Learned counsel for the petitioner submits that while petitioner is named in the FIR but no specific overt act has been attributed against his and petitioner has no criminal antecedent. It is further submitted that similarly situated co-accused, Bhola Mahto has already been granted privilege of pre-arrest bail by a Bench of this Court vide order dated 06.03.2019 passed in Criminal Misc. No. 13843 of 2019.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned I/C J.M. Ist Class, Sitamarhi, in connection with Kanhauli P.S. Case No. 162 of 2018, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

Bhardwaj/-

(Rajendra Kumar Mishra, J)

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