

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9908 of 2020

Arising Out of PS. Case No.-70 Year-2019 Thana- PATLIPUTRA District- Patna

1. RAJU MAHTO @ RAJU PRASAD S/o Kashi Prasad @ Brahmdeo Mahto @ Brahmdeo Prasad @ KASHI MAHTO Resident of Mohalla- Gosain Tola, P.S.- Patliputra, Distt- Patna.
2. Rajesh Mahto Rajesh Kumar S/o Kashi Prasad @ Brahmdeo Mahto @ Brahmdeo Prasad Resident of Mohalla- Gosain Tola, P.S.- Patliputra, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Bhardwaj

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-03-2020 Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,342,323 and 307/34 of the IPC and Section 27 of the Arms Act.

The prosecution case as per the written report of Pramod Kumar Singh submitted to the SHO, Patliputra Police Station is to the effect that on 12.2.2019 the informant proceeded from his hotel after finishing his work alongwith Rupees Sixty Thousand. It is alleged that on the way, seven accused persons stopped him and attacked on him causing injury to his driver. It is further alleged that co-accused Mahendra Mahto snatched the bag containing aforesaid amount and co-accused laxmi Mahto resorted to firing.

It is submitted by learned counsel for the petitioner that



the accusation is omnibus and general and it has been levelled in the background of pending partition suit and considering the background in which the accusation has been levelled, co-accused Satish Singh has been granted anticipatory bail vide order dated 23.4.2019 passed in Cr. Misc. No. 26263 of 2019 by a Co-ordinate Bench of this Court. There is no medical report on record to corroborate the accusation and there is counter version of the occurrence also. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR.

Considering the genesis of the occurrence, materials on record do not suggest that any injury was caused to the informant and the case lodged by the petitioners' side is earlier in point of time coupled with statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM cum Sub Judge XII, Patna in connection



with Patliputra P.S. Case No.70 of 2019 subject to the
conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

anil/-

U			
---	--	--	--

