

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4302 of 2020

Arising Out of PS. Case No.-152 Year-2018 Thana- ISUAPUR District- Saran

Arjun Kumar Mahto @ Arjun Mahto, Son of Late Ambika Mahto Resident of
Village-Bela, P.S.-Isuapur, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pandey

For the Opposite Party/s : Mr.Syed Mojibur Rahman

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

ORAL ORDER

2 23-01-2020 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Isuapur P.S. Case No. 152 of 2018, registered under Sections 147,
341, 323, 324, 379, 307 and 504 of the Indian Penal Code and later
on, Section 302 of the Indian Penal Code has been added, pending in
the court of S.D.J.M., Saran at Chapra.

The accusation is that informant, Rahul Kumar, along
with his cousin, Mantosh Singh, was going to market boarding on
motorcycle but in the way, his villagers, Teras Mahto, Arjun Mahto
(petitioner), Subhash Mahto, Bikau Mahto, Munna Mahto and Dhiraj
Mahto came there and at that time, Teras Mahto with intention to kill
attacked on his cousin through Farsa, in which, his cousin fell down.
Thereafter, petitioner gave farsa blow at the head his cousin, Mantosh



Singh, who become unconscious. Later on, his cousin died in course of treatment.

Learned counsel for the petitioner submits that after investigation, the police submitted the final form against the petitioner but the learned trial court differing with the final form took cognizance against him. Further submission is that petitioner has no criminal antecedent.

Learned counsel for the informant submits that there is specific allegation against the petitioner to give Farsa blow at the head of Mantosh Singh, cousin of the informant, who died later on.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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