

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5475 of 2020

Arising Out of PS. Case No.-302 Year-2019 Thana- DEEPNAGAR District- Nalanda

1. Satyendra Kumar @ Mintu S/o Late Ajit Mahto, R/o village- Lakhrawan, P.S.- Deepnagar, District- Nalanda at Biharsharif.
2. Abhay Kumar @ Chintu S/o Late Ajit Mahto, R/o village- Lakhrawan, P.S.- Deepnagar, District- Nalanda at Biharsharif.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : M/s Murari Narain Choudhary, Vijay Kumar, and
Mohit Srivastava, Advs.
For the Opposite Party/s : Mr.Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 03-03-2020 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Deepnagar P.S. Case No.302 of 2019, G.R. No. 5621 of 2019 registered for offence punishable under sections 307, 323, 341, 354(A), 427, 448, 504 and 506/34 of the Indian Penal Code and section 27 of the Arms Act.

The petitioner no. 1 has criminal history. Allegation has been made that he has suppressed the fact before this Court. When the informant has pointed out two cases are pending against the petitioner no.1, today he has filed supplementary affidavit and accepted the pending cases against him.



In such view of the matter, the prayer for bail of petitioner no. 1 is rejected.

So far petitioner no.2 is concerned, it appears that there is a dispute of partition in the family. The informant is bhabhi who has made allegation against her debar to have assaulted by rod.

In contra, the mother-in-law of the informant has also filed a counter case in which the identical nature of allegation has been made.

Looking to the entire facts and circumstance of the case, the prayer for bail of petitioner no. 2 is allowed and he, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/-each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Nalanda in connection with Deepnagar P.S. Case No.302 of 2019, G.R. No. 5621 of 2019, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court The petitioner will not induce any witness or tamper with the evidence. The



petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Shivaji Pandey, J)

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