

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8441 of 2020**

Arising Out of PS. Case No.-105 Year-2019 Thana- CHAKAI District- Jamui

CHANDRIKA MAHTO Son of Dakhari Mahto Resident of Village - Sone,  
P.S. - Chakai, Distt - Jamui.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Satya Prakash Parasar  
For the Opposite Party/s : Mr.Vinod Shanker Modi

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      02-03-2020                      Heard learned counsel for the petitioner as well as  
  
learned Addl. Public Prosecutor for the State.

Petitioner is apprehending his arrest in Chakai P.S.  
Case no. 105/2019 registered under sections 308, 379 and other  
allied section of the IPC.

Case of the prosecution is that she-goat was grazing in  
the accused persons field whereafter accused persons had  
assaulted the informant and his family members.

Petitioner's counsel submits that in fact, informant was  
aggressor and the petitioner has suffered injury. In support  
thereof, one injury of the next morning i.e. 04.07.2019 has been  
placed on record wherein petitioner is shown to have sustained  
injury. Earlier petitioner's side had instituted Chakai P.S. Case  
no. 99/2015.

Submission is that instant prosecution is counter blast



to the said case and in retaliation, present case has been instituted.

Learned A.P.P. opposes the prayer for bail.

Considering the aforesaid submissions, prayer for anticipatory bail is allowed.

In the event of arrest/ surrender within four weeks from the date of receipt of a copy of the order in the court below, petitioner shall be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate III, Jamui in Chakai P.S. Case no. 105/2019 subject to the condition under section 438(2) Cr.P.C and other conditions.

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

s.hassan/-

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**(Madhuresh Prasad, J)**

