

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12622 of 2020

Arising Out of PS. Case No.-248 Year-2019 Thana- MADHUBAN District- East Champaran

Shambhu Mahto Son of Badri Mahto Resident of village - Madhuban Bazar
Diah, P.S.- Madhuban, District - East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sanjay Kumar Tiwari, Advocate
For the Opposite Party : Mr. Pancha Nand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 06-03-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

The petitioner is apprehending arrest in connection with Madhuban P.S. Case No. 248 of 2018 for offences under Sections 341, 323, 324, 307, 353, 379, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedent.

The allegation against the petitioner is that the informant (A.S.I) received information from Station House Officer of Madhuban Police Station and on such information, he along with other police personnel proceeded to the house of one Vijay Prakash Mahto warrantee of Trial No. 1968 of 2019 to arrest him but he started fleeing away from place of occurrence and he was apprehended by the police. In the meantime, some



local persons holding lathi, danda and iron rod in their hands came and attacked the police force and assaulted the police force and tried to escape Vijay Prakash Mahto from the custody of the police.

Learned counsel for the petitioner submits that the petitioner is *Pattidar* of Vijay Prakash Mahto and as such he has been made accused in this case and in fact, the petitioner is living separately.

Considering the fact that the petitioner has no criminal antecedent and there is no specific allegation of any overt act against him, this Court is inclined to grant bail to him. Let petitioner, above-named, in the event of arrest or surrender within one month from today, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-2nd, East Champaran, Motihari in connection with Madhuban P.S. Case No. 248 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anil Kumar Upadhyay, J)

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