

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85388 of 2019

Arising Out of PS. Case No.-397 Year-2019 Thana- MASHRAK District- Saran

Raghu Nath Mahto S/o Late Sukhal Mahto R/o village- Chainpur Pokhra,
P.S.- Mashrakh, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Chandra Verma
For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-01-2020 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner apprehends his arrest in connection with Mashrakh P.S. Case No. 397 of 2019 for the offence punishable under Sections 341, 323, 307, 376, 511, 354B, 379 and 506/34 of the Indian Penal Code.

The allegation is regarding the co-accused person, namely, Govind Mahto being engaged in harassing the wife of the informant as also engaging in misbehaving with her, which was opposed by the informant. It is further alleged that the co-accused person, Govind Mahto had assaulted the informant resulting in him have fallen down in the field, however, subsequently upon alarm being raised, the other accused persons including the petitioner herein had arrived and assaulted the informant.



The learned counsel for the petitioner has submitted that the petitioner is 75 years old and it is highly improbable that he would have assaulted a young man i.e. the informant. It is further submitted that if at all any one is having complicity in the matter, it is the co-accused person Govind Mahto who used to tease the wife of the informant, resulting in altercation between the informant and the said accused person, namely Govind Mahto. The petitioner is stated to be having a clean antecedent.

Having regard to the facts and circumstances of the case and considering the submissions advanced by the learned counsel for the petitioner as also considering the fact that the petitioner is an old person and having deep roots in the society, I deem it fit and proper to enlarge the petitioner on anticipatory bail.

Accordingly, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioner above named is directed to be released on anticipatory bail on furnishing bail- bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate VI, Chapra, Saran in connection with Mashrakh P.S. Case No. 397 of 2019, subject to the conditions



laid down under Section 438(2) of the Code of Criminal
Procedure.

(Mohit Kumar Shah, J)

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