

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28292 of 2020

Arising Out of PS. Case No.-235 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. LAKSHMAN MAHTON S/o Late Jageshwar Mahto Resident of Village-Pahar Chak, Ward No.27, P.S.-Muffasil, District-Begusarai.
 2. Rahul Kumar S/o Lakshman Mahton Resident of Village-Pahar Chak, Ward No.27, P.S.-Muffasil, District-Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Bhushan Poddar, Advocate
For the Opposite Party/s : Mrs. Pushpa Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 23-02-2021 Learned counsel for the petitioners seeks permission to withdraw the prayer for anticipatory bail of petitioner no. 2 Rahul Kumar as he has already been arrested in this case.

Permission is accorded.

Heard learned counsel for the petitioner no. 1 and learned Additional Public Prosecutor for the State.

The petitioner no. 1 is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 447, 354(B), 308, 504, 506 and 325/34 of the Indian Penal Code.

Allegation against petitioner no. 1 Lakshman Mahton is that he has caused fracture injury on both the hands of the informant.

Submission is that petitioner has got no criminal



antecedent. For trivial dispute between two neighbour, false allegation is there.

Considering the facts aforesaid, let the petitioner no. 1, Lakshman Mahton, in the event of his arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Begusarai Muffasil Police Station Case No. 235 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The petitioner no. 1 shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner no. 1.

(b) Both the bailors shall be resident of territorial jurisdiction of the learned court below.

(c) The petitioner no. 1 shall not leave the country without permission of the trial court.

(Birendra Kumar, J)

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