

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35224 of 2020

Arising Out of PS. Case No.-67 Year-2019 Thana- BENIPATTI District- Madhubani

MANOJ MAHTO Son of Gulab Mahto @ Shilab Mahto Resident of Village -
Basaitha, P.S.- Benipatti, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Singh, Advocate
For the Opposite Party/s : Mr.Ashraf Ansari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-03-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioner is apprehending his arrest in a case registered under Sections 302 and 34 of the Indian Penal Code and 27 of the Arms Act.

Allegation is that the petitioner caught hold of the brother of the informant and co-accused Baiju Yadav fired from country made pistol upon the brother of the informant, due to which he fell down and was taken to the Hospital for treatment but in the way he died.

It has been submitted on behalf of the petitioner that



the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The main allegation of firing is alleged against the co-accused Baiju Yadav. So far the petitioner is concerned, there is no allegation of assault alleged against him.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. II, Benipatti, District Madhubani in connection with Benipatti P.S. case No.67 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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