

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 40059 of 2020

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Ram Naresh Mahto @ Ram Pravesh Mahto aged 57 years, gender-Male, son
of late Raj Ballam Mahto, resident of village-Barhoga Parsotim Chand Tola,
Police Station-Jamo Bazar, District-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Adv.
For the Opposite Party/s : Mr. Ashok Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 03-06-2021 The present petition has been taken up for
consideration through the mode of Video
conferencing in view of the prevailing situation on
account of COVID 19 Pandemic, requiring social
distancing.

Heard the learned counsel for the petitioner
and the learned A.P.P. for the State, Mr. Ashok
Kumar.

This is an application for grant of anticipatory
bail in connection with Jamo Bazar P.S. Case No.
77 of 2019 registered for the offences punishable



under Section 147, 149, 341, 323, 324, 307, 379 and 504 of the Indian penal Code.

The allegation is regarding the accused persons including the petitioner herein having engaged in taking away bricks from the premises of the informant and when the informant had protested, they started pelting bricks upon the informant, whereafter, the co-accused persons, namely, Mukesh Kumar and Hemant Kumar had inflicted farsa and gadasa blow on the members of the prosecution party.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that as far as the petitioner is concerned, a bare perusal of the FIR would show that no allegation of any sort of specific overt act qua the petitioner herein has been leveled, hence, the petitioner is liable to be



granted the privilege of anticipatory bail.

Per contra, the learned APP for the State, Mr. Ashok Kumar, has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner is not alleged to have assaulted either the informant or his family members and moreover, he is having a clean antecedent, I deem it fit and proper to enlarge the petitioner above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, XIII, Siwan, in connection with Jamo Bazar P.S. Case



No. 77 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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