

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3543 of 2022

Arising Out of PS. Case No.-116 Year-2020 Thana- MANJHAGARH District- Gopalganj

MUNNA MAHTO @ MUNNA CHAUHAN S/O BALIRAM MAHTO R/o
village- Sareya Akhtiyar, P.S.- Manjha Garh, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sushil Kumar

For the Opposite Party/s : Mr. Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 08-08-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard learned counsel for the petitioner as well as the

learned Additional Public Prosecutor for the State.

The petitioner apprehend his arrest in connection with

Manjhagarh P.S. Case No. 116 of 2020 registered for the offence

under Sections 341, 323, 307, 504, 506/34 and 302 of the Indian

Penal Code.

As per allegation, made in the FIR, the eleven named

accused persons, including the petitioner, were constructing

foundation on the land of the informant. On protest, they badly

assaulted the informant and his mother Tara Devi. When his

brother Laxman Mahto and bhabhi Sunita Devi came to rescue



them co-accused Pawan Mahto assaulted them on their head and made them badly injured, Sunita Devi died during the course of her treatment and thereafter, Section 302 of the Indian Penal Code was added.

Learned counsel for the petitioner has submitted that the specific allegation to assault the deceased is on Pawan Mahto and on the petitioner. He has submitted further that other co-accused persons have been granted regular bail by the co-ordinate Bench of this Court.

Other persons have been granted regular bail, but it is an anticipatory one. There is allegation that the accused persons badly assaulted the informant and his family members, due to which, Sunita Devi died during course of her treatment, as such, it is not a fit case for anticipatory bail. Accordingly the prayer for anticipatory bail is hereby rejected.

The petitioner is directed to surrender before the court below and seek regular bail.

(Nawneet Kumar Pandey, J)

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