

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11666 of 2022**

Arising Out of PS. Case No.-67 Year-2020 Thana- KARJA District- Muzaffarpur

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DINESH MAHTO SON OF SHIVJI MAHTO @ SHIVJEE MAHTO
RESIDENT OF VILLAGE- BORWARA BHATAUNA, P.S.- KARJA,
DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Niraj Kumar

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

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

ORAL ORDER

2 17-09-2022 Learned counsel for the petitioner is directed to remove all
the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as learned
APP for the State.

The petitioner apprehends his arrest in connection with
Karja P.S. Case No. 67 of 2020, registered for the offences
punishable under Sections 147, 149, 341, 323, 325, 307, 379, 435,
504, 506 of the Indian Penal Code.

As per allegation, eight accused persons and 35 unknown
persons came to the firm of the informant. The petitioner ordered the
accused persons to kill the informant whereupon Dinesh Mahto
inflicted iron rod blow on his son Akhilesh Kumar who sustained
fracture injury. When the informant tried to rescue his son co-accused
Shivpujan Sahni inflicted *danda* blow on his face.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is case and counter case. Though the injuries are grievous in nature but that has not been attributed against the petitioner. He has also submitted that both the parties have compromised the case and seven accused persons have been granted anticipatory bail.

The impugned order shows that considering the criminal antecedent of as many as ten cases against the petitioner the learned court below has rejected his anticipatory bail petition. The petitioner appears to be a person of a strong criminal antecedent. As such, it is not a fit case for anticipatory bail. Accordingly, it is rejected.

The petitioner is directed to surrender before the court below and make a prayer for regular bail.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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