

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23645 of 2021

Arising Out of PS. Case No.-121 Year-2020 Thana- SAUR BAZAR District- Saharsa

Sanjay Mahto @ Sanjay Kumar Mahto S/O Shambhu Mahto R/O Village-
Patarghat, P.S.-SOUR Bazar, District-Saharsa. Petitioner/s
Versus

THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Singh

For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 07-01-2022 This matter has been taken up for hearing online
because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Sour Bazar (Patarghat) P.S. Case no. 121 of 2020 instituted
for the offence under Sections 147, 148, 149, 341, 323, 327,
379, 307, 427, 337, 338, 333, 504 and 506 of the Indian Penal
Code and section 27 of the Arms Act.

As per allegation in the FIR, petitioner is a member of
unlawful assembly and he along with other co-accused persons
have created hindrance by pelting stones to the police party in
discharging the official duty in the festival of Holi.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has got no criminal antecedent. General and omnibus allegations have been levelled against the petitioner. Similarly situated co-accused persons have already been granted bail by different co-ordinate Bench of this Court.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Sour Bazar (Patarghat) P.S. Case no. 121 of 2020, he will be enlarged on 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 CJM, Saharsha subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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