

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34577 of 2021

Arising Out of PS. Case No.-223 Year-2020 Thana- SONBERSA District- Sitamarhi

RAVINDRA MAHTO @ PRAVEEN KUMAR S/o Ramlochan Mahto R/o
village- Rohua, P.S.- Sonebarsa, District- Sitamarhi

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 35005 of 2021

Arising Out of PS. Case No.-223 Year-2020 Thana- SONBERSA District- Sitamarhi

1. TETRI DEVI W/O MADAN MAHTO R/O VILLAGE-ROHUA, P.S.-SONBARSA, DISTRICT-SITAMARHI.
2. MADDU DEVI D/O MADAN MAHTO R/O VILLAGE-ROHUA, P.S.-SONBARSA, DISTRICT-SITAMARHI.
3. SUNIL MAHTO S/O HARI MAHTO R/O VILLAGE-ROHUA, P.S.-SONBARSA, DISTRICT-SITAMARHI.
4. LALITA DEVI W/O SUNIL MAHTO R/O VILLAGE-ROHUA, P.S.-SONBARSA, DISTRICT-SITAMARHI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Ranjay Kumar Singh
For the Opposite Party/s :	Mr. Anil Kumar Singh No. 1
	Mr. Umanath Mishra
	Mr. Parmannnd Kumar
	Mr. Ashok Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 15-02-2022 At the very outset, learned counsel for the petitioners seeks permission for making necessary correction in the Police Station Case Number which has been wrongly typed in the petition as ‘Sonebarsa P.S. Case No. 223/2021’ in place of ‘Sonebarsa P.S. Case No. 223/2020’.



Permission is granted.

Learned counsel for the petitioner is permitted to make necessary correction by 23rd of February, 2022.

Let the case number be read as ‘ Sonebarsa P.S. Case No. 223/2020, in place of ‘Sonebarsa P.S. Case No. 223/2021’.

Learned court below is also directed to make necessary corrections in the police station case number.

Re. Cr. Misc. No. 34577 of 2021

Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State through video conferencing.

The petitioner apprehends his arrest in connection with Sonebarsa P.S. Case No. 223/2020 registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

Mr. Ashok Kumar Jha, learned counsel for the informant has pointed out that the petitioner is an accused in Sonebarsa P.S. Case No. 23 of 2021 registered for the offences punishable under Section 376 and 120-B of the Indian Penal



Code.

The petitioner has stated in paragraph No. 3 of the petition that he has clean antecedent.

This suppression fact in itself is a ground for rejection of the anticipatory bail application of the petitioner. Apart from the suppression, the petitioner is said to have participated in the killing of the deceased.

Considering the above, the prayer of the petitioner for grant of anticipatory bail is dismissed with a cost of Rs. 15,000/- (Rupees Fifteen Thousand) which shall be deposited in the Victim Compensation Fund.

The case is of November, 2020 and it is surprising that this petitioner has not been arrested till date by the police.

The petitioner is directed to surrender within two weeks and if the petitioner does not surrender within two weeks from today then the Superintendent of Police, Sitamarhi, will take all coercive steps for arrest of the petitioner.

Office is directed to communicate this order to the Superintendent of Police, Sitamarhi through FAX-email, forthwith.

Learned Additional Public Prosecutor for the State Mr. Anil Kumar Singh No. 1 is directed to communicate this



order to the Superintendent of Police, Sitamarhi, on WhatsApp.

Mr. Ashok Kumar Jha, learned counsel for the informant, is also given liberty to communicate this order to the Superintendent of Police, Sitamarhi on WhatsApp.

The regular bail of the petitioner should not be entertained by the Court below after his surrender/arrest until and unless, the petitioner deposits the cost of Rs. 15,000/- in the Victim Compensation Fund and same is verified by the court below.

With the aforesaid direction and observation, the present anticipatory bail application is dismissed.

Re. Cr. Misc. No. 35005 of 2021

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State as well as learned counsel for the informant through video conferencing.

The petitioners apprehend their arrest in connection with Sonebarsa P.S. Case No. 223/2021 registered for the offences punishable under Sections 302/34 of the Indian Penal Code.

In view of the fact that there is general and omnibus allegations against the petitioners, their prayer for grant of anticipatory bail is allowed.



Accordingly, let the **petitioners above named in Cr. Misc. No. 35005 of 2021** be released on bail, in the event of their arrest or surrender before the court below within a period of ten weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM-VII, Sitamarhi, in connection with Sonebarsa P.S. Case No. 223 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Sandeep Kumar, J)

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