

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33738 of 2022

Arising Out of PS. Case No.-144 Year-2020 Thana- LAHERIMUHALLA District- Nalanda

KUMKUM MAHTO @ HUKUMCHAND PRASAD Son of Late Nuran
Mahto Resident of Village - Baripahari, P.S.- Laheri , Distt.- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-09-2022 Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under section 147, 148, 149, 341, 323, 504, 506, 427, 109, 188, 269, 270, 271, 332, 353 and 307 of IPC and section 3/4 of Damage of Public Property Act and section 51 of National Disaster Management Act, 2005..

Allegedly, petitioner in association with 53 named and three to four hundred unnamed persons are said to have damaged the police vehicle and created obstruction in



discharging the official duty.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. He was present at the place of occurrence as member of the mob. Similarly situated co-accused persons have been granted anticipatory bail by this court vide order dated 17.08.2022 passed in Cr. Misc. No.17025 of 2022. Petitioner has no criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since similarly situated co-accused persons have been granted bail by this Court, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is



pending/Successor Court in Laheri P.S. Case No.144 of 2020,
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

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