

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48004 of 2021**

Arising Out of PS. Case No.-484 Year-2020 Thana- BASANTPUR District- Siwan

BIRENDRA MAHTO S/o Samraj Mahto R/o village- Khawaspur, P.S.-  
Basantpur (O.P. Lakdi Nabiganj), District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Kumari Anupam

For the Opposite Party/s : Mr. Ajeet Kumar

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

2      11-02-2022              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 Mr. Yogesh Chandra Verma, learned Senior Advocate assisted by Mr. Abhinav Ashok for the petitioner and learned Additional Public Prosecutor for the State through video conferencing.

The petitioner prays for grant of anticipatory bail in Basantpur (Lakdi Nabiganj) P.S. Case No. 484 of 2020 registered for the offence punishable under Sections 341/323/324/325/307/302/354/34 of the Indian Penal Code.

Jagarnath Mahto was assaulted by the petitioner along with other co-accused persons who were variously armed with spade, sabal and iron-rod. They have also assaulted other



family members of the deceased who have sustained serious injuries. Jagarnath Mahto (deceased) has sustained four injuries.

In view of the law laid down by the Apex Court in the case of *Jai Prakash Singh Vs. State of Bihar and another [(2012) 4 SCC 379]*, I am not inclined to grant anticipatory bail to this petitioner as he has actively participated in the crime.

Accordingly, this anticipatory bail application is dismissed.

**(Sandeep Kumar, J)**

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