

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53433 of 2021**

Arising Out of PS. Case No.-69 Year-2021 Thana- SONBERSA District- Sitamarhi

SHUBH NARAIN MAHTO @ SUB NARAIN MAHTO S/o LATE
LOCHAN MAHTO R/o VILLAGE-BHUTAH, WARD No.4, P.S-
SONBARSA, DISTRICT-SITAMARHI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Jha, Advocate

For the Opposite Party/s : Mr.Anant Kumar I, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 22-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 354(A), 379, 504 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that the petitioner came with three other accused persons and started abusing him and his wife on the pretext that his son had committed theft when his son lived in Delhi, it is next alleged that on 12.03.2021, the informant went to the house of the petitioner to dispute the above fact with regard to theft committed by his son when it is alleged that petitioner assaulted



him on his head by *dabia* causing injury on his head and he became unconscious and thereafter when his wife came to rescue him other four accused persons assaulted her and tore her clothes.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, earlier the petitioner had instituted Sonbersa P.S. Case No. 65 of 2021 dated 15.03.2021 in which it was alleged that the present informant had assaulted the petitioner, learned counsel further submits that admittedly the dispute arose on a trivial issue and it was the informant who had come to the house of the petitioner when this occurrence took place, it is next submitted that petitioner is not a criminal and is a person with clean antecedent and is aged about 76 years and as such no useful purpose would be served by sending him to custody.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner and taking into consideration the age of the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail



on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sonbarsa P.S. Case No. 69 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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