

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60219 of 2021**

Arising Out of PS. Case No.-134 Year-2019 Thana- BARURAJ District- Muzaffarpur

RAJA MAHTO S/o LAXMAN MAHTO R/o VILLAGE-PANSALWA
GOPINATHPUR, P.S-BARURAJ, DISTRICT-MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

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

2 12-07-2022 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 304(B) and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent

Learned counsel for the petitioner submits that the petitioner is cousin brother of Prahlad Mahto and is seeking bail in a case registered for the death of the wife of Prahlad Mahto, it is next submitted that the wife of Prahlad Mahto died on 01.07.2019 when the petitioner had left for Sarjah on 31.08.2017 and came back on 21.02.2020 i.e., after the occurrence had taken place, it is next submitted that as such the



petitioner was not even present in India when the occurrence had taken place as would be evident from Annexure- 3 at Page- 19. The learned counsel thereafter relies on an order dated 03..01.2022 in Cr. Misc. No. 36539 of 2021 (Prahlad Mahto vs. State of Bihar) to submit that he has been granted regular bail by this Court and the case of the present petitioner is also on a better footing as he is not the husband of the deceased.

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, 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. 5,000/- (Rupees Five 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 Baruraj P.S. Case No. 134 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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