

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10233 of 2021

Arising Out of PS. Case No.-150 Year-2020 Thana- RUNISAIDPUR District- Sitamarhi

1. DEEPAK MAHTO @ DUKHAN MAHTO S/O JAGDISH MAHTO R/O VILLAGE-MADHAUL, WARD NO.12, P.S.-RUNNI SAIDPUR, DISTRICT-SITAMARHI.
2. MADAN MAHTO S/O JAGDISH MAHTO R/O VILLAGE-MADHAUL, WARD NO.12, P.S.-RUNNI SAIDPUR, DISTRICT-SITAMARHI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Hans Lal Kumar, Adv.
For the Opposite Party/s :	Mr.Ganesh Prasad Singh, APP
For the Informant :	Mr.Nachiketa Jha, Adv.
	Mr.Vinod Shanker Modi, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-01-2022 Heard the parties through virtual court proceedings.

The petitioners apprehend their arrest in a case in connection with Runni Saidpur P.S. Case No.150 of 2020, registered for the offence punishable under Sections 341, 323 and 302/34 of the Indian Penal Code.

The allegation against the petitioners is that they along with other accused persons have assaulted the informant's brother, due to which he died in the hospital.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence as alleged ever took place. The allegation leveled



against the petitioners is not specific rather general and omnibus in nature. No incriminating article has been recovered from the conscious physical possession of the petitioners. Petitioners have no criminal antecedent and similarly situated co-accused, namely, Thaga Mahto and Vikash Kumar have been enlarged on anticipatory bail by a co-ordinate Bench of this court vide order dated 20.07.2021 passed in Cr. Misc. No.3120 of 2021.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since similarly situated co-accused have been granted anticipatory bail, let the above named petitioners, be released on bail, in the event of their 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) 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 Runni Saidpur P.S. Case No.150 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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