

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9961 of 2023

Arising Out of PS. Case No.-131 Year-2022 Thana- ANDHRATHARHI District- Madhubani

JITENDRA KUMAR MAHTO @ JITENDRA BHARTI SON OF
BALESHWAR MAHTO R/O VILL.- MADHUBAN, P.S.-
ANDHRATHADHI, DISTT.- MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar, Advocate
For the Opposite Party/s : Mr.Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-05-2023 Heard the learned counsel for the petitioner and
the learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Andhrathadhi PS case no. 131 of 2022,
registered for the offences punishable under Section 386 and
other allied sections of the Indian Penal Code.

The allegation is regarding the accused persons
including the petitioner herein having arrived at the house of the
informant, whereafter they had pointed pistol on the head of the
informant and demanded a sum of Rs. 50,000/- by way of
extortion money and thereafter, it is alleged that the co-accused
Vijay Kumar had assaulted the informant by a dagger.



The learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in the present case. The learned counsel for the petitioner has further submitted that the petitioner is accused in one another case but he is on bail in the said case. It is also submitted that as far as the petitioner is concerned, he has not been alleged to have engaged in any sort of specific overt act *qua* the informant, hence, he has got no complicity in the matter.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioner has not been alleged to have assaulted the informant, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with



two sureties of the like amount each to the satisfaction of J.M.
1st class, Jhanjharpur, Madhubani in connection with
Andhrathadhi PS case no. 131 of 2022, subject to the conditions
as laid down under Section 438(2) of Code of Criminal
Procedure.

(Mohit Kumar Shah, J)

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