

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15091 of 2023

Arising Out of PS. Case No.-33 Year-2021 Thana- MADHUBANI TOWN District-
Madhubani

VINAY MAHTO @ VINAY KUMAR Son of Late Rajendra Mahto Wrongly
mention Late Munna Mahto in the F.I.R, R/V- Suratganj Nilam Chawk, Ward
no. 14, P.s- Madhubani Town, dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gangan Deo Yadav, Adv.
For the State	:	Mr.Arvind Kumar Pandey (App.84)
For the Informant	:	Mr. Padmanbh Kashyap, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-05-2023 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 Madhubani Town P.S. Case No. 33 of 2021
registered for the offence punishable under Sections 302,
304(B)/34 of the Indian Penal Code and Section 3/ 4 of the
D.P.Act.

The allegation is regarding the accused persons including
the petitioner herein, who is stated to be the brother-in-law of
the deceased victim lady, having killed the deceased victim lady
on the alleged date and time of occurrence.

The learned counsel for the petitioner submits that the



petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has submitted, by referring to paragraph no. 13 of the present petition that the main accused i.e. the husband of the deceased victim lady is already behind bars. The learned counsel for the petitioner has further submitted that as far as the petitioner is concerned, a general and omnibus allegation has been levelled, hence, he be granted the privilege of anticipatory bail.

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 petitioner, taking into account the materials available on record as also considering the fact that the main accused i.e. the husband of the deceased victim lady is behind bars and a general and omnibus allegation has been levelled against the other co-accused persons including the petitioner herein, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before



the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Madhubani, in connection with Madhubani Town P.S. Case No. 33 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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