

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16844 of 2023**

Arising Out of PS. Case No.-54 Year-2021 Thana- KATHAIYA District- Muzaffarpur

SATYA NARAIN MAHTO @ SATAN MAHTO Son of Shankar Mahto R/o
Ward no. 10, P.O Mahima Gopinathpur P.S- Kathaiya Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Namrata Mishra, Advocate.

For the Opposite Party/s : Mr. Rajendra Nath Jha, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

3 30-05-2023 Heard Ms. Namrata Mishra, learned counsel for

the petitioner and Mr. Rajendra Nath Jha, learned

Additional Public Prosecutor appearing for the State.

Petitioner apprehends his arrest in connection with
Kathaiya P.S. Case No. 54 of 2021 dated 7.5.2021
registered for the offence punishable under Sections 447,
341, 323, 326, 307, 504 and 506/34 of the Indian Penal
Code.

As per the prosecution case, the quarrel was going
on between two parties in which Sohan Mahto tried to
intervene and was pushed by the member of the other side,
namely, Md. Shahid in the boiling oil as a result of which
Sohan Mahto sustained burn injury.



Learned counsel for the petitioner submits that the allegation against the petitioner is general and omnibus in nature. Free fight was going on between the members of the two communities. There is no allegation in the F.I.R. that the petitioner has pushed Sohan Mahto in the boiling oil rather the allegation is against co-accused Md. Shahid. He further submits that the petitioner has got no criminal antecedent and there is no likelihood that the petitioner will abscond or tamper with the evidence.

Regards being had to the submission made by the parties and taking into consideration the fact that the allegation against the petitioner is general and omnibus in nature and the injury caused to Sohan Mahto is not attributable to the petitioner, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioner, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur, in



connection with Kathaiya P.S. Case No. 54 of 2021, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

S.Ali/-

U		T	
---	--	---	--

