

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27763 of 2023

Arising Out of PS. Case No.-215 Year-2022 Thana- TATARPUR District- Bhagalpur

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MANGAL KUMAR MAHTO @ MANGALMAY MAHTO Son of
Maneshwar Mahto R/O Vill.- Shankarpur, Bind Tola, P.S.- Lalmatiya, District
- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bambam Kumar, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 17-07-2023 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for
the offences punishable under Sections 147, 149, 323, 353, 354,
188, 120B, 504/34 of the Indian Penal Code.

3. It is alleged that on 02.09.2022, this petitioner
instigated accused persons and blocked the main road for two
hours. It is further alleged that they shouted slogans against the
Government and abused and misbehaved with the informant.

4. It is submitted that allegation against the petitioner
is general and omnibus and no specific overt act has been
alleged against him. As a matter of fact, dead body of one Jyoti
Kumar was recovered for which U.D. Case No. 30 of 2022 was
registered by the police and petitioner along with other local



persons was protesting and demanding adequate compensation for family of the deceased. The police party got anguished and lodged this false and fabricated case. Petitioner has got clean antecedent.

5. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhagalpur in connection with Tatarpur P. S. Case No. 215 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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