

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37224 of 2023

Arising Out of PS. Case No.-29 Year-2023 Thana- BHAGWANPUR District- Begusarai

JITENDRA MAHTO Son of Abdhesh Mahto Resident of village - Dahiya,
P.S. - Bhagwanpur, Distt. - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Arvind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-07-2023 Heard the learned counsel for the petitioner and the learned
A.P.P. for the State.

2. This is an application for grant of anticipatory bail in connection with Bhagwanpur P.S. Case No. 29 of 2023, registered for the offence punishable under Section 147, 148, 149, 341, 323, 307, 353, 332, 504 of the Indian Penal Code and Section 3/ 2 of the Damaged of Public Property Act.

3. The allegation is regarding the petitioner and other accused persons having engaged in brick-battings and having thrown stones on the police officials as also having damaged CCTV camera and the police vehicles when the police officials / personnel were engaged in discharge of official duties and were trying to pacify the mob, which had assembled for protesting the death of the deceased in question.



4. 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 further submitted that a general and omnibus allegation has been levelled against the petitioner, however, considering the nature of offence, in order to show his bona fide, the petitioner is ready and willing to deposit a sum of Rs. 25,000/- with the District Legal Services Authority, Begusarai, hence, the petitioner be granted the privilege of anticipatory bail.

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

6. 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 a general and omnibus allegation has been levelled qua the accused persons, though I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail, however, subject to the petitioner producing proof of deposit of Rs. 25,000/- with the District Legal Services Authority, Begusarai, before the learned Court of Judicial Magistrate-1st Class, Begusarai, in connection with



Bhagwanpur P.S.Case No. 29 of 2023 and further subject to such other conditions as may be deemed fit and proper to be imposed by the Ld. Trial Court for the purposes of grant of anticipatory bail.

7. The present petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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