

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39092 of 2022

Arising Out of PS. Case No.-23 Year-2020 Thana- HASANPUR District- Samastipur

CHANDAN MAHTO S/o Late Umesh Mahto, R/o village- Dewadha, P.S.-
Hasanpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 10-01-2023 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with
Hasanpur P.S. Case No. 23 of 2020 registered for offence
punishable under sections 302/34, 120B of the Indian Penal Code.

As per allegation, the petitioner and co-accused had
taken away the husband of the husband of the informant with
them. Her husband did not return. On next day, he was found in
injured condition in the field of one Krishna Nandan Kanti. He
was shifted to Begusarai Hospital wherefrom he was referred to
P.M.C.H.. He died in way to the hospital. Her husband had
apprised that Rohit Das and Chandan Mahto petitioner have



brought him in the field of Krishna Nandan Kanti and five named accused persons including the petitioner, badly assaulted him, resulting into his death.

The learned counsel for the petitioner has submitted that there is no allegation on the petitioner to assault the deceased. The allegation against the petitioner is general and omnibus.

On the other hand, the learned APP has submitted that it was the petitioner and co-accused Rohit Das, who took away the deceased with them. The accused persons badly assaulted him, resulting into his death. He has also submitted that the case of the petitioner cannot be equated with the ladies, who have been granted anticipatory bail by this Court.

In my view, it is not a fit case for anticipatory bail and the same is rejected accordingly.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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