

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53949 of 2022

Arising Out of PS. Case No.-64 Year-2017 Thana- DULHIN BAZAR District- Patna

1. PRAMOD MAHTO @ PRAMOD KUMAR, Son of Ram Nandan Mahto
R/V- Lala Bhadsara, P.S- Dulhin Bazar, Dist- Patna
2. Vindeshwar Mahto, Son of Chalitra Mahto R/V- Lala Bhadsara, P.S- Dulhin
Bazar, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs.Sharda Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 16-01-2023 Learned counsel for the petitioners is permitted to

remove the defect(s), as pointed out by the office, if any,

within a period of three weeks from today.

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

Learned counsel for the petitioner no. 1 seeks
permission to withdraw the present application.

Permission is accorded.

The present application is dismissed as withdrawn.

The petitioner is apprehending his arrest in
connection with Dulhin Bazar P.S. Case No. 64 of 2017
registered for the offences punishable under Sections 147,



148, 149, 341, 323, 324, 325, 326, 307, 379, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, the petitioners and other accused persons assaulted on the head of the informant with *lathi* and also assaulted his family members. The petitioner Vindeshwar Mahto also snatched Rs. 2000/- from the pocket of the informant and ornament worth Rs. 25,000/- from Asha Devi.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case due to previous enmity. There is general and omnibus allegation against the petitioner. As per injury report of the injured, the injury on the parietal region is simple in nature and caused by blunt object. He has further submitted that the co-accused persons have already been granted bail by different Coordinate Benches of this Court vide order dated 21.09.2017 passed in Cr. Misc. No. 43157 of 2017 and vide order dated 14.02.2022 passed in Cr. Misc. No. 38807 of 2021. The petitioner no. 2 Vindeshwar Mahto has got three criminal antecedent as stated in para 3 of the bail petition.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.



Considering the aforesaid facts and circumstances of the case as well as the fact that the injury is simple in nature, let the above named petitioner, in the event of his arrest/ surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Danapur, Panta in connection with Dulhin Bazar P.S. Case No. 64 of 2017, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

The application stands allowed.

(Chandra Prakash Singh, J)

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