

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53158 of 2022

Arising Out of PS. Case No.-433 Year-2020 Thana- BIHIA District- Bhojpur

MOTI LAL MAHTO @MUKESH PRASAD Son of Mundrika Mahto
Resident of Village - Lahang Dumariya, P.S.- Bihiya, Distt.- Bhojpur at Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

2 16-01-2023 Learned counsel for the petitioner 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 petitioner and

learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in

connection with Bihiya P.S. Case No. 433 of 2020

registered for the offences punishable under Section 304

read with Section 34 of the Indian Penal Code.

As per the prosecution case, the son of the

informant died due to electrocution since the power was

supplied in bare wire.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. The petitioner is not named in the F.I.R. During the course of investigation, the name of the petitioner sprung up in this case at the instance of his enemy. He has further submitted that the occurrence took place at the field of co-accused persons Sanjay Singh and Vidya Mahto and the petitioner has no concern with the said land. The co-accused Sanjay Singh has already been granted anticipatory bail by a Coordinate Bench vide order dated 21.02.2022 passed in Cr. Misc. No. 31127 of 2021. The petitioner has got clean 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, 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, Bhojpur at Ara in connection with Bihiya P.S.
Case No. 433 of 2020, 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)

Gautam/-

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

