

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54745 of 2023

Arising Out of PS. Case No.-740 Year-2022 Thana- CHAPRA TOWN District- Saran

Shiwajee Mahto @ Shivji Mahto S/O Mishri Mahto Resident Of Village-
Chhota Telpa, P.S- Town, Distt.- Saran At Chapra.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 25-08-2023 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. Let the defect(s), if any, be removed within a period
of four weeks from today.

3. The accused/petitioner is named in the F.I.R. and
apprehending his arrest in connection with Chapra Town P.S.
Case No. 740 of 2022 registered for the offences punishable
under Sections 147, 148, 149, 341, 323, 332, 333, 353, 427,
504, 506 of the Indian Penal Code.

4. As per FIR, petitioner alongwith other named co-
accused persons started pelting stones causing injuries to
informant and driver of police vehicles and also damaged police
vehicles while police personnels raided village of petitioner in



connection with illegal trade of liquor.

5. Learned counsel appearing on behalf of the petitioner submitted that petitioner implicated falsely with present case where allegation as per face of FIR is appearing very much general and omnibus. It is also submitted that petitioner is a man of clean antecedent having no connection with illegal trade of illicit liquor or involvement in any such illegal activities, and as such, there is no occasion to participate in protest as alleged. It is further pointed out that similarly situated co-accused, namely, Kailash Chaudhary has already granted anticipatory bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 51296 of 2023 dated 17.08.2023. While concluding the argument, it is submitted that petitioner is a man of clean antecedent.

6. Learned APP opposes the prayer of bail.

7. Considering the aforesaid facts and circumstances and by taking note of nature of allegation which is appearing very much general and omnibus, let above named petitioner, in the event of his arrest or surrender within a period of four weeks, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



the learned C.J.M. Saran at Chapra/concerned Court, where the case is pending in connection with Chapra Town P.S. Case No. 740 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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