

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62386 of 2023

Arising Out of PS. Case No.-133 Year-2022 Thana- BAJPATTI District- Sitamarhi

PREMCHANDRA KUMAR @ PREMCHANDRA MAHTO S/O GANESH
MAHTO R/O VILLAGE- BANGAON, P.S- BAJPATTI, DISTT.-
SITAMARHI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Braj Kishore Pd. (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and the

State.

2. Petitioner apprehends arrest in a case registered
for the offences punishable under Sections 341, 323, 304, 504,
34 of the Indian Penal Code.

3. As per the prosecution story, on 15.05.2022 at
about 2.30 pm while the informant was returning his house from
Sitamarhi, near Barwa Tola of Bajpatti, all the accused persons
including these petitioners tried to stop him near the house of
co-accused Om Prakash Mahto, but he managed to flee away by
his motorcycle. It is further alleged that accused Om Prakash
overtook him near Genpur chowk by Apache Motorcycle and
other accused persons also reached there and thereafter they



started assaulting him. It is further alleged that on getting this information, when mother of the informant came with 2-3 other villagers in his rescue, they were also assaulted by the accused persons. The reason behind the occurrence is a dispute which took place on 13.05.2022 in the marriage of daughter of co-accused Om Prakash.

4. It is submitted on behalf of petitioner that specific accusation of assault is against co-accused Om Prakash and Ram Prasad. So far as this petitioner is concerned, there is general and omnibus allegation and in course of investigation, police had not chargesheeted this petitioner. Similarly situated co-accused persons have already been granted bail by this court vide Cr. Misc. No. 32674 of 2023 dated 08.08.2023.

5. Learned APP for the State has vehemently opposed the prayer of bail.

6. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Pupri at Sitamarhi/concerned court



below in connection with Bajpatti P. S. Case No. 133 of 2022,
subject to condition as laid down under Section 438(2) of the
Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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