

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62372 of 2023

Arising Out of PS. Case No.-70 Year-2023 Thana- GADHPURA District- Begusarai

Pradeep Mahto @ Pradeep Mahton Son Of Late Tarkeshwar Mahto @
Tarkeshwar Mahton Resident Of Village - Gadhpura, P.S. - Gadhpura, District
- Begusarai

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Gadhpura P.S. Case No. 70 of 2023 registered for the offences punishable under Sections 147, 341, 323, 354(A), 379, 427, 307, 337, 338, 504, 506 and 34 of the Indian Penal Code. He has got one criminal antecedent.

3. As per the prosecution story, this petitioner along with other accused persons came at the *shraddh* ceremony of informant's mother and started abusing and assaulting the guests. Upon protest by the informant, the petitioner is alleged to have assaulted the informant on his head causing injury. The other accused persons also started throwing bricks and stones due to which several people got injured and they also destroyed



the cooked food.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the occurrence, as alleged, is said to have taken place on some petty issues, the injury suffered by the informant is simple in nature and the same is not repeated.

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

6. Having regard to the facts and circumstances of the case wherein it appears from the materials on the record that the petitioner is said to have caused one injury which is simple in nature, there is no repetition of blow and the alleged occurrence seems to have taken place on some petty issues, this Court directs that in case of his arrest or surrender within a period of six weeks from today, the petitioner above named be released on bail in connection with Gadhpura P.S. Case No. 70 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st, Class, Begusarai subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall



verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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