

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63387 of 2022

Arising Out of PS. Case No.-67 Year-2021 Thana- LAUKAHA District- Madhubani

1. RAM KUMAR MAHTO Son of Late Achchhe Lal Mahto Resident of Village- Kamalpur, P.S.- Laukaha, District- Madhubani
2. Manish Kumar Mahto @ Manish Kumar Bharti Son of Ram Bilas Mahto Resident of Village- Kamalpur, P.S.- Laukaha, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No.1, Adv.
For the State : Mr. Binod Kumar No. 3, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 24-04-2023

1. Heard both the parties.

2. The petitioners seek bail in anticipation of their arrest in connection with Laukaha P.S. Case No. 67 of 2021, dated 10.03.2021, instituted for the offences under Sections 341, 323, 324, 307, 379, 504/34 and 302 of the I.P.C.

3. Learned counsel for the petitioners has taken this Court through the statement of the complainant, namely Bihari Mahto, who ultimately succumbed to his injuries, wherein he makes specific allegations of causing injuries to him by Manoj Kumar Mahto and Manish Kumar Mahto who is also named of having stolen Rs. 5,000/- from his pocket apart from beating him up.



4. In view thereof, I am not inclined to grant anticipatory bail to petitioner no. 2 namely Manish Kumar Mahto @ Manish Kumar Bharti. His application is dismissed.

5. So far as petitioner no.1 namely Ram Kumar Mahto is concerned, as the allegations are omnibus as against him, I am inclined to grant anticipatory bail to him and in the event of arrest, he shall be released on bail, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., which are as under:-

I. The petitioner shall cooperate with the investigation and make himself available for interrogation whenever required.

II. The petitioner shall not directly or indirectly make any inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer,

III. The petitioner shall not obstruct or hamper the police investigation and not play mischief with the evidence collected or yet to be collected by the police;

IV. The petitioner shall maintain law and order;

V. The petitioner shall, at the time of execution of the bond, furnish his address and mobile number to the investigating officer, and the court concerned, and shall not



change the residence till the final disposal of the case;

VI. The petitioner shall surrender his passport, if any, before the investigating officer within a week and, if he does not possess any passport, he shall file an affidavit to that effect before the investigating officer;

VII. The petitioner shall regularly remain present during the trial and cooperate with the Hon'ble court to complete the trial for the above offences.

(Sanjeev Prakash Sharma, J)

Pravinkumar/-

Item No. 72

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