

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70919 of 2022**

Arising Out of PS. Case No.-239 Year-2016 Thana- DARBHANGA SADAR District-  
Darbhanga

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1. SITA RAM MAHTO S/O Late Ramkisun Mahto R/O Village- Madhpur, Post- Lalshahpur, P.S- Mabbi, District- Darbhanga, Bihar
  2. Ashok Yadav S/O Late Rajendra Yadav R/O Village- Mabbi, Madhpur, Postal Training Centre P.S- Sadar District- Darbhanga, Bihar
  3. Dinesh Mahto @ Dinesh Kumar Mahto S/O Late Yogendra Mahto R/O Village- Madhpur, Post- Lalshahpur, P.S- Mabbi, District- Darbhanga, Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sourav Suman  
For the Opposite Party/s : Mr.Gauri Shankar Gupta

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      15-05-2023                      Heard the parties.

Petitioners apprehend their arrest in connection with Darbhanga Sadar (Mabbi O.P.) PS Case No. 239 of 2016 dated 27/06/2016 registered under Section 147, 148, 149, 341, 342, 188, 186, 283 & 354 of the I.P.C.

As per the FIR an accident had taken place on 26-06-2016 near Madhopur Bridge due to rash and negligent driving of the truck driver causing death of a woman. The local persons blocked the traffic on the road and became violent created disturbance and nuisance and obstructing the public servant in discharge of their lawful duty. Altogether, it is said that 100



persons blocked the road in which petitioners along with other six in number were identified by the village chaukidar.

Learned counsel for the petitioners submits that petitioners have not committed any offence in the manner alleged and it was the mob of about 100 persons which protested the death of a woman due to accident caused by rash and negligent driving of the truck driver. He further submits that there is no specific allegation against the petitioners. The allegation is general and omnibus in nature against mob and the petitioners and others who have been implicated on the basis of identification of the village chaukidar due to local politics. Learned counsel for the petitioners submits that charge sheet has been filed against the petitioners and there is no likelihood that petitioners will abscond or tamper with the evidence.

Regard being had to the submission made by the parties, taking into consideration the nature of allegation and the fact that charge sheet has already been filed as stated by the petitioners in paragraph-10 of this application, I am inclined to grant anticipatory bail to the petitioners.

Let the petitioners, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on



furnishing bail bond of Rs. 10000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Darbhanga in connection with Darbhanga Sadar (Mabbi O.P ) PS Case No. 239 of 2016 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anil Kumar Sinha, J)

praful/-

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