

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76165 of 2023**

Arising Out of PS. Case No.-30 Year-2023 Thana- ANGARGHAT District- Samastipur

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FULENA MAHTO @ FULAINA MAHTO SON Of Siyaram Mahto Resident
of Village - Muriyaro, Ward No. 10, Angarghat , District - Samastipur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhubneshwar Mahto, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 12-12-2023 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any,

within a period of three weeks from today.

2. Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in

connection with Angarghat P.S Case No. 30 of 2023 dated

30.03.2023 registered for the offence punishable u/ss 341,

323, 354, 307, 504 and 506 of the Indian Penal Code.

4. As per the prosecution case, when the informant

along with her daughter was sleeping in her house then the

accused Sonu Mahto jumped over the wall of the house and



started to touch the body of the informant's daughter. On being objected, the accused Sonu Mahto started to flee and threw bricks on her leg. When the informant raised alarm, the petitioner along with other accused persons abused her and ordered to kill her. As a result the accused Subash Mahto assaulted her with bricks on her head and the other accused assaulted the daughter of the informant with fist and feet.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. It is further submitted that the present case is counter blast to Angarghat P.S. Case No. 32 of 2023. The co-accused person has already been granted anticipatory bail by the Coordinate Bench of this court vide order dated 30.08.2023 passed in Cr. Misc. No. 56365 of 2023. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six



weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Dalsingsarai, Samastipur in connection with Angarghat P.S Case No. 30 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Nilmani/-

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