

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3502 of 2023

Arising Out of PS. Case No.-80 Year-2022 Thana- ATRI District- Gaya

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SARYUG MAHTO @ SURENDRA PRASAD S/o Mahabir Mahto R/o
Village- Sundna, P.S.- Roh, Distt- Nawada.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Deep Nishi

For the Opposite Party/s : Mr.Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with Atri P.S. Case No.80 of 2022, registered for the offences punishable under Sections 302 and 201 of the Indian Penal Code.

Accusation is of killing the husband of the informant.

Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. The petitioner has got no criminal antecedent as stated in paragraph-3 of the bail application. It is further submitted that there is no eye witness of the occurrence and only on suspicion the petitioner has been made accused.

Learned APP for the State opposed the prayer for



grant of anticipatory bail to the petitioner by submitting that there is ample evidence in the case diary against the petitioner.

Considering the nature of offence and the fact that there is ample evidence in the case diary, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for grant of anticipatory bail to the petitioner is hereby rejected.

However, if petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the learned court below shall consider the prayer for regular bail of the petitioner preferably on the same day without being prejudiced by this order of rejection.

(Anjani Kumar Sharan, J)

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