

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6512 of 2024

Arising Out of PS. Case No.-284 Year-2023 Thana- KHUSRUPUR District- Patna

1. Bilash Mahto S/o Late Garib Mahto @ Gariban Mahto
 2. Munakiya Devi W/o Bilash Mahto
 3. Raj Kumar@ Raj Kumar Mahto S/o Bilash Mahto
- All are Resident of Bind Toli, Hardas Bigha, P.S. - Khusrupur, Dist. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate
For the Opposite Party/s : Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-02-2024 Heard Mr. Ashok Kumar, learned counsel appearing on behalf of the petitioners and Mr. Zainul Abedin, learned APP for the State.

2. Petitioners seek pre-arrest bail in connection with Khusrupur P.S.Case No.284 of 2023 registered for the offences punishable under Sections 341, 323, 379, 307, 504 and 506/34 of the Indian Penal Code .

3. As per the allegation made in the FIR, the petitioner no.1, Bilash Mahto, has collected advance money of Rs.18,000/-, which was given in advance for supply of milk. Instead of that, in breach of the oral contract, the petitioners neither returned the amount received nor they have supplied



milk, which led to fierce fight between them, in which the petitioner no.1 assaulted the informant and snatched a gold chain and cash of Rs.7,500/-.

4. Learned counsel appearing on behalf of the petitioners submitted that due to enmity, the petitioners have been implicated in a false case. Petitioners are own family members. Petitioners have clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Having considered the rival submissions made on behalf of the parties and considering the nature of allegation made against the petitioners and in absence of any record with respect to alleged payment of Rs.18,000/-, the petitioners can not be held responsible for supply of milk, however, considering the allegation of assault, I am of the opinion that the same is general and omnibus in nature, the petitioners are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Ms. Pratima Kumari, Judicial Magistrate Ist class, Patna City/concerned court, in



connection with Khusrupur P.S.Case No.284 of 2023, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

7. The court below is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

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