

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8612 of 2024

Arising Out of PS. Case No.-284 Year-2023 Thana- SURYAGARHA District- Lakhisarai

Mantu Mahto @ Manntu Mahto S/o Bangali Mahto R/o Vill - Bhawanipur,
P.O. - Dighri, P.S. - Manikpur, (Surajgarha), Dist. - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Prasad

For the Opposite Party/s : Mr.Nawal Kishore Prasad

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

ORAL ORDER

2 07-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Surajgarha (Manikpur) P.S. Case No. 284/2023 dated 03.08.2023 registered for the offence punishable under Sections 147, 148, 149, 341, 342, 323, 325, 307, 385, 387, 427 , 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused persons along with 10-15 unknown persons armed with country-made pistol, gun, musket and *khanti* under the leadership of Dashrath Mahto and Nitesh Mandal came and fired 30-40 rounds indiscriminately. Thereafter, they also



assaulted the informant's brother Sudhir Mahto, the informant's nephew Brajesh Kumar and the villager Setho Mahto with *kunda* of gun and butt of pistol causing fracture injury. It is further alleged that the petitioner and the co-accused persons also demanded Rs. 5 lacs as *rangdari* otherwise his family members would be killed.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. There is general and omnibus allegation against the petitioner. There is case and counter case between both the parties.

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

6. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus against the petitioner, 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, Lakhisarai in connection with Surajgarha



(Manikpur) P.S. Case No. 284/2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition:-

(i). The court below shall verify the criminal antecedent of the petitioner and at any stage, if it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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