

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8677 of 2024

Arising Out of PS. Case No.-138 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Raj Kumar Mahto S/O- Jaie Mahto R/O- Village- Sindhiya Heewan, P.S.-
Banjariya, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate
For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 08-05-2024 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections
302/120B/34 of the Indian Penal Code.

3. As per prosecution, FIR has been lodged against
eight named accused persons including the present petitioner. In
the FIR, the informant has raised strong suspicion against the
petitioner that husband of the informant has given Rs.1,32,000/-
to the petitioner and for the refund of money, Punctaity also
took place due to which there was strong pressure and, hence,
suspicion has been raised that the petitioner along with other
seven named accused persons had killed the informant's



husband.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He submits that by a coordinate Bench of this Court vide order dated 02.09.2023 passed in Cr. Misc. No.62854 of 2023 co-accused persons, namely, Rukhiya Devi, Jainath Mahto and Pradeep Kumar have been granted anticipatory bail whereas vide orders dated 19.06.2023 and 20.07.2023 passed in Cr. Misc. No.39315 of 2023 and Cr. Misc. No.48307 of 2023 respectively have been granted regular bail by this Court as well as by a coordinate Bench of this Court. Learned counsel further submits that the petitioner has one antecedent in which he is on bail. Counsel submits that petitioner is husband of Pramila Devi an Ward Member of the said Panchayat and it is due to this reason the name of the petitioner has figured in this case. Learned counsel further submits that from the content of FIR it becomes clear that there is no eyewitness of the occurrence and case has been filed only on strong suspicion.

5. Learned counsel for the State opposes the prayer for anticipatory bail and submits that case-diary has been called for in this case but in the case-diary also specific allegation has not come save and except the circumstances.



6. In the light of the submissions, let the petitioner, above named, be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from the date of receipt of the order on furnishing bail bond of Rs.30,000/- (Thirty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran/Successor Court in connection with Turkauliya (Banjariya) P.S. Case No.138 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dr. Anshuman, J)

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