

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20302 of 2024

Arising Out of PS. Case No.-133 Year-2022 Thana- CHORAUT District- Sitamarhi

Naveen Mahto @ Naveen Kumar S/o Devendra Mahto R/o vill - Bhaluahi,
P.S. - Sursand, Distt. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-04-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 302, 201
and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and has been falsely
implicated in the instant case being the son-in-law of Bhogi
Mahto. It is next submitted that in sum and substance the
allegation is that the son of the informant was in love with the
daughter of one Bhogi Mahto and the said relationship was
being opposed by Bhogi Mahto and his family members, as
such, it is alleged that his son was called and subsequently
killed. It is also alleged that Bhogi Mahto along with Rajesh



Mahto tied a towel around the neck of the deceased and killed him. The learned counsel submits that the informant is not an eyewitness to the occurrence and the entire allegation hinges around suspicion. It is next submitted that there is a delay of five days in instituting the F.I.R. and the petitioner is son-in-law of Bhogi Mahto and for the said reason he has been implicated with general and omnibus allegation. It is further submitted that the petitioner will not abscond rather will co-operate in the investigation.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Choraut P.S. Case No.133/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, it is made clear that in the event if the



Investigating Officer of the case files an application before the learned trial court bringing to his notice that the petitioner despite giving assurance to this court is not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioner after recording reason.

(Satyavrat Verma, J)

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