

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25022 of 2024

Arising Out of PS. Case No.-149 Year-2023 Thana- BASOPATTI District- Madhubani

Chhotu Jha S/o Hira Jha Resident of Village Phet, P.S. Basopatti, Dist.-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar Sah
For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Basopatti P.S. Case No.149 of 2023, registered for the offences punishable under Sections 323/341/324/307/504/506 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution, the FIR has been lodged against seven accused persons including the present petitioner with allegation of assault to the informant. Specific allegation is upon Raju Mahto to fire on the informant by his pistol thrice, due to which bleeding started and he fell down. When the villagers gathered all accused persons fled away. The reason



assigned in the FIR is that all the accused persons collectively used to do the business of selling liquor which was opposed by the informant and it is due to this reason the present occurrence has been caused.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that from the content of the FIR it becomes crystal clear that there is no act and overt-act against the petitioner save and except that he is alleged to be the member of the mob. Counsel submits that it is true that antecedent of the petitioner is clean. Counsel submits that in the facts and circumstances the petitioner deserves anticipatory bail.

5. Learned counsel for the State, on the other hand, opposes the prayer for anticipatory bail.

6. In this view of the matter, the petitioner, above named, is directed to be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of four 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 Judicial Magistrate, Madhubani/Successor Court in connection with Basopatti P.S. Case No.149 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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