

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28722 of 2024

Arising Out of PS. Case No.-75 Year-2023 Thana- GWALPARA District- Madhepura

1. Sahadev Mahto @ Sahdeo Mahto S/o Late Ram Jyoti Mahto @ Ayodhi Mahto Resident of Village- Gangaura Ward No. 01, P.S.- Bihariganj, District- Madhepura
2. Ajay Kumar S/o Sahadev Mahto @ Sahdeo Mahto Resident of Village- Gangaura Ward No. 01, P.S.- Bihariganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar, Adv.

For the Opposite Party/s : Mr.Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 10-05-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. Learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application with respect to the petitioner no. 1 i.e. Sahadev Mahto @ Sahdeo Mahto , who has already been arrested.

Permission is accorded.

Accordingly, the present anticipatory bail application is dismissed as withdrawn with respect to the petitioner no. 1.

2. The petitioner is apprehending his arrest in a case in connection with Gwalpara P.S. Case No. 75 of 2023 dated 05.05.2023 registered for the offences punishable u/ss 147, 148.



149, 341, 342, 323, 324, 186, 353, 332, 333, 399, 504 of the Indian Penal Code and u/s 45 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have caused hindrance in discharge of the official duties while police raided the house of the co-accused, Manoj Mahto.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. It is further submitted that the petitioner has no concern with the alleged offence. The co-accused person has already been granted anticipatory bail by this court vide order dated 06.11.2023 passed in Cr. Misc. No. 65391 of 2023. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner Ajay Kumar, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on 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,
Madhepura in connection with Gwalpara P.S. Case No. 75 of
2023, subject to conditions as laid down under section 438(2) of
the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

U		T	
---	--	---	--

