

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36353 of 2024

Arising Out of PS. Case No.-881 Year-2023 Thana- AGAMKUAN District- Patna

RAMASHISH MAHTO SON OF ASHOK MAHTO RESIDENT OF
VILLAGE - RASHIDA-CHAK, CHHOTI PAHARI, P.S. - AGAMKUAN,
DISTRICT - PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gauri Shankar Prasad, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 02-09-2024 1. Heard learned counsel for the petitioner and Mr. Rabindra Kumar learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506 and 325/34 of the Indian Penal Code as well as Sections 25(1-b), 26 and 27 of the Arms Act.
3. The office objection is ignored.
4. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent.
5. The informant alleges that Sajan Kumar in an intoxicated condition defected in front of his house, on protest he abused and assaulted and later 10-15 accused came to his house and assaulted his family members causing injury. Further, petitioner is a tea stall owner who gives patronage to the criminal.
6. Learned counsel for the petitioner submits that



petitioner has been falsely implicated in the instant case by the informant based on suspicion. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that informant alleges that petitioner being a tea stall owner gives patronage to the criminal. It is next submitted that since customers come to the shop of the petitioner from all section of the society as such it cannot be alleged that petitioner is giving patronage. It is also submitted that petitioner is not alleged to have assaulted the informant or his family members.

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

8. Considering the submissions made by the learned counsel for the petitioner, let 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 court below where the case is pending/successor court in connection with Agamkuan P.S. Case No. 881 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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