

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48325 of 2021

Arising Out of PS. Case No.-24 Year-2021 Thana- PUPRI District- Sitamarhi

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BIRENDRA MAHTO @ VIRENDRA KUMAR MAHTO Son of
Bhuneshwar Mahto Resident of Village - Parsauni Ward No. 5, P.S. - Pupri,
Distt. - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 12-02-2024 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 offences punishable under Sections 341, 323,
354, 427, 188, 379, 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and he came to be
implicated in Pupri P.S. Case No. 24 of 2021 registered under
Sections 341, 323, 354, 427, 188, 379, 504, 506 and 34 of the
Indian Penal Code. Learned counsel next submits that Pupri P.S.
Case No. 24 of 2021 was instituted by Bijali Kumar Mahto
alleging that the accused persons including the petitioner
assaulted his father and specifically alleges against the petitioner
of assaulting his father by farsa on the head. Learned counsel



further submits that the injured Hemchandra Mahto father of Bijali Kumar Mahto also instituted Pupri P.S. Case No. 33 of 2021 with respect to the same occurrence alleging therein that he was assaulted by the present petitioner on the head by farsa. It is also submitted that petitioner surrendered before the learned trial court in connection with Pupri P.S. Case No. 33 of 2021 and he was granted the privilege of regular bail by order dated 20.01.2022. It is thus submitted that when petitioner already surrendered in Pupri P.S. Case No. 33 of 2021 and was enlarged on regular bail no useful purpose would be served by sending the petitioner to jail again in Pupri P.S. Case No. 24 of 2021 which was instituted prior to Pupri P.S. Case No. 33 of 2021 for the same occurrence.

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 court below where the



case is pending/successor court in connection with Pupri P.S.
Case No. 24 of 2021, subject to the conditions as laid down
under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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