

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62335 of 2024

Arising Out of PS. Case No.-116 Year-2022 Thana- LAKHNAUR District- Madhubani

RAKESH KUMAR MAHTO @ RAKESH KUMAR MAHATO SON OF
RAM SUNDAR MAHTO @ RAMASUDNAR MAHATO RESIDENT OF
VILLAGE-SARASWATI TOLA, POLICE STATION- MANIGACHHI,
DISTRICT- DARBHANGA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Nilendu Kumar Choudhary, Advocate
For the State : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-09-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. This is the second anticipatory bail application on behalf of the petitioner. Earlier, the application for grant of anticipatory bail to the petitioner stood dismissed as withdrawn vide order dated 24.06.2023 passed in Cr. Misc. No. 23081 of 2023.

3. The petitioner apprehends his arrest in a case registered for the offence under Sections 279, 295A, 379 and 429 of the Indian Penal Code, Section 11 of the Prevention of Cruelty to Animals Act and Sections 3, 4, 4(B) and 14(8) of the Bihar Prevention and Improvement of Animals Act.

4. At the outset, learned counsel appearing on behalf



of the State submits that petitioner has been extended the benefit of Section 41 of Cr.P.C..

5. In view of the aforesaid facts and circumstances of the case, this petition stands disposed of with direction to the petitioner to surrender before the Court below within a period of eight weeks from today and pray for bail. In case, petitioner surrenders and file application for bail, the concerned Court will pass an order in the similar manner, as has been decided by this Court in the case of *Mahendra Prasad Singh Vs. State of Bihar*, reported in 2004(3) P.L.J.R., 491.

(Prabhat Kumar Singh, J)

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