

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76823 of 2023

Arising Out of PS. Case No.-74 Year-2022 Thana- SAMHO District- Begusarai

Mantu Bind @ Shambhu Bind S/O Late Jitan Bind Resident Of Village- Salha
Bind Tli, P.S.- Samho, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Shantanu Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 02-01-2024 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in a case in connection with Samho P.S. Case No. 74 of 2022 dated 13.12.2022 registered for the offence/s punishable u/ss 120(B), 149, 307, 452, 506 and 504 of the Indian Penal Code.

4. As per the prosecution case, the petitioner and the co-accused persons armed with various weapons are alleged to have entered the informant's house and started abusing him and on the exhortation of the co-accused Seth Bind, all the accused



persons assaulted the informant with lathi-danda. Thereafter, the accused Seth Bind assaulted the informant on his head with rod due to that he sustained severe injury.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. There is no specific allegation against the petitioner. There is general and omnibus allegation against the petitioner. The specific allegation of assault is against the co-accused Seth Bind. Similarly situated co-accused persons have already been granted anticipatory bail by the co-ordinate bench *vide* order dated 18.10.2023 passed in Cr. Misc. No. 62208 of 2023. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

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

7. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus against the petitioner, let the above named petitioner, 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,



Begusarai in connection with Samho P.S. Case No. 74 of 2022,
subject to conditions as laid down under section 438(2) of the
Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

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