

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9651 of 2025

Arising Out of PS. Case No.-279 Year-2022 Thana- LAUKAHA District- Madhubani

1. Shrawan Kumar Mahto Son of Jibach Mahto R/o Ward No 14 Village -Bholapur Bela PS- Lalminia Distt- Madhubani
2. Satyanarayan Mandal Son of Ram Bahadur Mandal R/o Ward no. 15, Village- Gandhiya, Ps- Lalminia, Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratnakar Jha, Advocate

For the Opposite Party/s : Mr.Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-02-2025 Heard Mr.Ratnakar Jha, learned counsel for the

petitioners and Mr.Raj Kishor Singh, learned Additional Public

Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with G.R.No.1714 of 2022 arising out of Laukaha (Lalminia) P.S.Case No.279 of 2022, FIR dated 12.10.2022 registered for the offences punishable under Sections 341,342,323,353,379,427,385,504,506/34 of the Indian Penal Code.

3. According to the prosecution case, the petitioners alongwith other co-accused persons entered into the premises of informant's school under the guise of media persons and started



recording video inside the school premises and also took school's several documents. It is further alleged that the co-accused persons also abused and assaulted school teachers and the informant. It is further alleged that the co-accused persons also snatched mobile phone of a female school teacher namely, Leelawati Kumari. It is further alleged that due to non-fulfillment of rangdari, the present occurrence has taken place.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR and from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioners rather there is general and omnibus allegation against all the accused persons including the petitioners and co-accused persons, namely, Suresh Kumar Mahto @ Suresh Mahto and others, against whom the similar allegation, have been granted privilege of anticipatory bail by this Court vide order dated 26.06.2024 passed in Cr. Misc. No.38416 of 2024.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the



petitioners.

6. Considering the aforesaid facts, petitioners have clean antecedent, there is no specific allegation of any assault or overt-act attributed against the petitioners and similarly situated co-accused persons, namely, Suresh Kumar Mahto @ Suresh Mahto and others have been granted privilege of anticipatory bail by this Court, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand)each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Jhanjharpur, Madhubani in connection with G.R.No.1714 of 2022 arising out of Laukaha (Lalminia) P.S.Case No.279 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(I) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.



(II) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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