

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76781 of 2025

Arising Out of PS. Case No.-5 Year-2017 Thana- BAHADURPUR District- Patna

Gaina @ Santosh Mahto S/o Jagatveer Mahto R/o Vill- Dujra Devi Asthan,
P.S.- Budha Colony, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Sharma, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-01-2026 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 341, 147, 149, 323, 379, 504 of the Indian Penal Code.

3. Prosecution case, in brief, is that on 12.01.2017 at about 6 AM, all the F.I.R. named accused persons, including this petitioner, assaulted informant and looted Rs. 80,000/-. It is further submitted that the accused persons also threatened informant with gun and fled away.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. Allegation of assault is general and omnibus and there is no specific allegation of overt act against petitioner. Rest of the allegations are ornamental. It is further submitted that similarly situated co-



accused persons have already been granted anticipatory bail by this Hon'ble Court *vide* order dated 04.02.2025 passed in Cr. Misc. No. 28 of 2025.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering backdrop of the case, nature of accusation and other facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Patna City in connection with Bahadurpur P. S. Case No. 05 of 2017, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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