

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44439 of 2017

Arising Out of PS.Case No. -151 Year- 2014 Thana -JALALPUR District- SARAN

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Sunil Mahto, son of Rajdeo Mahto, Resident of Village- Puchri, Police
Station- Baniyapur, District- Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Satya Prakash, Advocate

For the Opposite Party : Mr. Sri Umeshnand Pandit (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 22-09-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with Jalalpur P.S. Case No. 151 of 2014, registered for the offence
punishable under Section 386/34 of the Indian Penal Code.

Allegedly, the petitioner and other co-accused
assaulted the informant and due to alarm being raised, the villagers
came and then two co-accused were apprehended who stated their
names as Satendra Pandey and Vipin Kumar Singh and further
stated the name of the petitioner and Ashok Sah that they fled
away and in the meantime Satendra Pandey and Vipin Kumar
Singh escaped themselves in the house of Kanhaiya Singh then
police came and arrested them.



Submission is of false implication and that the name of the petitioner has come in the confessional statement of co-accused, they have taken name of the petitioner due to enmity, there is no specific allegation against the petitioner and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court of Sri Arvind, Judicial Magistrate, 1st Class, Saran at Chapra, in connection with Jalalpur P.S. Case No. 151 of 2014, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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