

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15163 of 2015

Arising Out of PS.Case No. -22 Year- 2013 Thana -CHANDI District- NALANDA
(BIHARSHARIFF)

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Rakesh Mahto, Son of Binda Mahto, resident of village - Sauaa, P.S.
Chandi, District – Nalanda.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner : Mr.

For the State : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 22-04-2015 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Chandi
P.S. Case No.22 of 2013 registered under Sections 302/34 of the
Indian Penal Code besides Section 27 of the Arms Act.

Learned counsel appearing on behalf of the petitioner
submits that earlier the prayer of the petitioner for grant of bail
vide Criminal Misc. No.43053 of 2013 and the co-accused, Shyam
Gope, vide Criminal Misc. No.1525 of 2014 was rejected by this
Court by the common order dated 03.04.2014 on merit, which
would appear from Annexure-‘1’ to this application. It is further
submitted that while the informant in course of investigation

identified the petitioner but he has specifically stated at the T.I. Parade that the co-accused, Shyam Gope, had fired shot at the time of the alleged occurrence. It is also submitted that the co-accused, Vikash Kumar alias Vikash Gope, who was also identified by the informant without committing any overt act, has already been granted bail by this Court vide order dated 28.01.2015 passed in Criminal Misc. No.42383 of 2014. The petitioner is in custody since 06.03.2013.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Hilsa, Nalanda, in connection with Chandi P.S. Case No.22 of 2013.

(Rajendra Kumar Mishra, J)

P.S./-

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