

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23513 of 2015

Arising Out of PS.Case No. -495 Year- 2014 Thana -KANTI District- MUZAFFARPUR

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Ram Sewak Mahto Son of Deeplal Mahto Resident of Village- Bakatpur,
P.S.- Kanti, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Ramakant Sharma

For the Opposite Party/s : Mr. Dashrath Mehta (APP)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 05-10-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is accused in connection with Kanti
P.S. Case No. 495 of 2014 registered under sections 302/34 of the
I.P.C. and section 27 of the Arms Act pending in the Court of
S.D.J.M., West Muzaffarpur.

The accusation is that on 30.09.2014 at about 9.00
pm. Pramila Devi was sitting nearby the door of one Yogendra
Mahto where petitioner along with one Sanjay Mahto came and
opened fire from his pistol causing injury on right thigh of the
wife of the informant, who died in the Hospital.

Learned counsel appearing on behalf of the petitioner
submits that it would appear from the F.I.R. that the informant is

not the eye witness of the occurrence. It is also submitted that petitioner is in custody since 23.12.2014.

Learned A.P.P. opposed the prayer of the petitioner with submission that witnesses sited in the paragraph nos. 5 and 6 of the case diary, have supported the allegation of having caused injury at the thigh of the deceased.

Having considered the facts and circumstances of the case and nature of allegation, I am not inclined to enlarge the petitioner on bail. Accordingly, prayer of the petitioner for bail is rejected.

(Rajendra Kumar Mishra, J.)

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