

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28233 of 2015

Arising Out of PS.Case No. -523 Year- 2014 Thana -BEGUSARAI TOWN District- BEGUSARAI

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Randhir Mahto son of Chamaru Mahto resident of Village - Nagadh,
Police Station - Muffasil (Singhaul O.P.), District - Begusarai.

.... Petitioner.

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajey Kumar, Advocate

For the Opposite Party/s : Mr. B.M.P.Sinha (A.P.P.)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 16-10-2015 Heard the learned counsel for the petitioner as well as

the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under Sections 302/452/34/320-B of the Indian Penal
Code and also under Section 27 of the Arms Act.

When the husband of the informant was sitting at the
roof of the house and the informant was sitting near the stair, all of
a sudden at about 5 P.M, the petitioner, co-accused Pappu Paswan
and one unknown criminals variously armed came and went at the
roof of the house. The petitioner fired on his husband which hit
on the back of his husband and then her husband jumped from the
roof and all the three accused persons fired on his husband and at
that time several other co-accused persons had surrounded her

house and have also opened fire. Her husband died at the spot.

Submission is of false implication and that against the petitioner, there is no specific allegation. The deceased was veteran criminal and he was accused in so many cases and might have been murdered by his enemies and the petitioner is suffering in custody since 17.11.2014 to which the learned A.P.P. opposes by submitting that besides the informant, the other witnesses namely, Deo Nandan Sah and Shobha Kumari and Sheo Kumar Sah vide Para-9, 10 and 35 have supported the case of the prosecution. Co-accused Sant Sharan Patel vide Para 59 of the case diary has also confessed his guilt and has named this petitioner and further the petitioner has got criminal antecedent also.

In the facts and circumstances stated-above, considering that the petitioner is one of the assailants and as such this Court is not inclined to release the petitioner on bail and as such his such prayer stands rejected in connection with Begusarai Town P.S. Case No. 523 of 2014 pending in the court of C.J.M. Begusarai.

(Jitendra Mohan Sharma, J.)

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