

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.695 of 2015

Arising Out of PS.Case No. -75 Year- 2014 Thana -WARSALIGANJ District- NAWADA

Pramod Mahto, son of Late Lakhan Mahto, resident of Village Gorapar,
P.S. Warsaliganj, District Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance:

For the Petitioner/s :

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 08-01-2015 Learned counsel for the petitioner prayed for making
correction in para 1 of the bail petition.

The petitioner is permitted to make correction in para
1 of the bail petition during the course of the day.

Heard both sides.

The petitioner apprehends his arrest in Warsaliganj
P.S. Case No. 75 of 2014 for the offences under Section 307 and
other sections of the Indian Penal Code and Section 27 of the
Arms Act.

Manoj Yadav alleged that Kundan Mahto, Pramod
Mahto and Nunu Lal Mahto, being armed with different weapons,
came and Kundan Kumar fired to hit on his thigh, but the villagers
assembled there and, thereafter, stones were pelted from both

sides.

Learned counsel for the petitioner submits that there is no allegation of firing against the petitioner. No overt act is alleged against him. The villagers of the two villages assembled and some dispute were raised on account of grazing of buffalo.

Learned Additional Public Prosecutor, on the other hand, opposed the prayer.

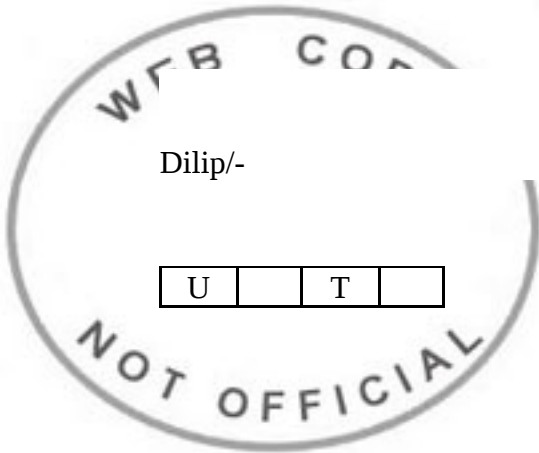
It appears that the informant made a specific allegation that the petitioner along with two other accused persons, being armed with different weapons, came and thereafter Kundan fired which hit on the thigh of the informant and the petitioner was also one of the members of the mob and they had come from different village with arms.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer is rejected.

The petitioner is directed to surrender in the court below within four weeks from today in connection with Warsaliganj P.S. Case No. 75 of 2014, pending in the court of the learned Chief Judicial Magistrate, Nawada, and make prayer for regular bail.

The court below shall consider the prayer for regular

bail of the petitioner without being prejudiced by this order.



Dilip/-

(Prabhat Kumar Jha, J)