

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 52346 of 2015

Arising Out of PS.Case No. -87 Year- 2008 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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Shanker Mahto S/o late Chulhai Mahto, R/o Village Madhubanighat, P.S.
Motihari Muffasil, District – Motihari.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey

For the Opposite Party/s : Mr. M.K. Nirala (App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 07-12-2015 Heard Mr. Pramod Kumar Pandey, learned counsel
for the petitioner and Sri M.K.Nirala, learned Addl. Public
Prosecutor.

The petitioner, who is in custody since 27-04-2015 in
Motihari Muffasil P.S. Case No. 87 of 2008 registered for the
offence under Section 302 & other allied sections of the Indian
Penal Code, Section 27 of the Arms Act, 1959 and section 17 of
the C.L.A. Act, has prayed for grant of bail.

Learned counsel for the petitioner submits that in this
case, almost all the F.I.R. named accused persons have already
been granted bail and as such, the petitioner deserves to be
enlarged on bail.

Learned Addl. Public Prosecutor has opposed the
prayer for bail. He submits that the F.I.R. was lodged long back in

the year 2008 and there is specific accusation against the petitioner that he opened fire, which hit the leg of the informant. Besides injuring informant, in the said occurrence, one Mukhiya was done to death by indiscriminate firing.

In view of nature of accusation, I do not find any ground to extend the privilege of bail.

The petition stands dismissed.

(Rakesh Kumar, J.)

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