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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49299 of 2015

Arising Out of PS.Case No. -248 Year- 2014 Thana -LAKHISARAI District- LAKHISARAI

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Ranjeet Mahto, son of Madan Mahto, Resident of village- Oraiya, Police Station and District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Rabi Bhushan
For the Opposite Party/s : Mr. M.K. Khare(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 01-02-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Lakhisarai P.S. Case No. 248 of 2014 registered for the offence punishable under Section 302/34 of the Indian Penal Code.

Allegedly, in the occurrence the petitioner and Subodh Mahto opened fire with pistol, out of which the fire made by Subodh Mahto, hit chest of Gopal Mandal and the fire made by the petitioner, hit right arm of Gopal Mandal resulting Gopal Mandal died at Lakhisarai Sadar Hospital.

Submission is of false implication and that allegedly the firing made by the petitioner hit right arm of the deceased which is not vital part of the body and, as such, the petitioner who

is suffering in custody since 05.07.2014, deserves sympathetic consideration to which the learned A.P.P. opposes by submitting that the petitioner is also one of the assailant and further he was earlier convicted in an offence under Section 302/34 IPC vide Lakhisarai P.S. Case No. 142 of 1999.

In the facts and circumstances stated above, this Court is not inclined to enlarge the petitioner on bail and, as such, prayer stands rejected.

(Jitendra Mohan Sharma, J)

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