

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29664 of 2015

Arising Out of PS.Case No. -119 Year- 2014 Thana -PAKARIBARAW District- NAWADA

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1. Pankaj Mahto Son of Late Surendra Prasad Resident of Village-
Chakwayi, P.S.- Warisaliganj, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Indu Bala Panday(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

7 25-01-2016 Heard the learned counsel for the petitioner, the

learned A.P.P. as also the learned counsel for the Informant.

The petitioner seeks bail in a case for the offences
punishable under sections 302, 34 and 120 (B) of the I.P.C and
section 27 of the Arms Act.

Allegedly, co-accused Pradeep Mahto shot Pappu on
his head and thereafter this petitioner and other co-accused shot
Pappu resulting he died in the vehicle itself and further the
miscreants caused threats to the informant and others.

Submission is of false implication due to previous
enmity, when the inquest report was prepared the informant was
not there which is evident from paragraph-2 of the case diary and
as such the informant and others who had come as eye witnesses

are not reliable, the petitioner is suffering in custody since 04.09.2014 and as such he deserves sympathetic consideration, to which the learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by submitting that the petitioner is also the assailant and the postmortem report also corroborates the prosecution version that so many fire arm injuries were found on the person of the deceased.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, serious in nature which finds support in the postmortem report also, this Court is not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Pakribrawan P.S. Case No. 119 of 2014 pending in the court of C.J.M. Nawada.

(Jitendra Mohan Sharma, J)

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