

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53213 of 2015

Arising Out of PS.Case No. -6 Year- 2012 Thana -NAWAKOTHI District- BEGUSARAI

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1. Ranjit Mahto @ Ranjeet Mahto, Son of Late Saket Mahto, resident of
Village- Samsa, P.S.- Naokothi, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. P.N.Pandit(App)

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

4 18-02-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 147, 148, 149, 302, 341 and 342 of the
I.P.C and section 27 of the Arms Act.

Allegedly, the FIR named nine accused persons
including the petitioner came and at the order of co-accused Hema
Mourya the petitioner and Niranjana Mahto @ Niro fired which hit
on the chest of Nawin Mahto, the son of the informant, causing his
death.

Submission is of false implication and that in the
postmortem report only one wound of entry and one wound of exit
have been found which goes to suggest that only one accused was

responsible, the informant in his further statement has specifically stated that his son became injured from the shot made by co-accused Niranjana Mahto @ Niro and as such the petitioner who is suffering in custody since 11.02.2015 deserves sympathetic consideration as the co-accused Lalo Sahni and Ramadhar Paswan have also been allowed bail by another coordinate Bench of this Court.

The learned A.P.P. opposes prayer for bail by submitting that the petitioner has got criminal antecedent and earlier also he was an accused in a case registered under section 302 I.P.C. vide Nawkothe P.S. Case No. 24 of 2003 which is evident from paragraph-3 of the bail application itself.

In the facts and circumstances as stated above, at this stage this Court is not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Sessions Trial No. 449 of 2015 arising out of Nawkothe P.S. Case No. 06 of 2012 pending in the court of Additional Sessions Judge-IV, Begusarai.

(Jitendra Mohan Sharma, J)

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