

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9153 of 2016

Arising Out of PS.Case No. -405 Year- 2014 Thana -ARA NAWADA District- BHOJPUR

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Botal Mahto @ Sinku Mahto S/o Rabishankar Mahto, Resident of village-
Ratnarh, P.S.- Agioan (G), Dist.- Bhojpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh, Advocate

For the Opposite Party/s : Mr. Surendra Pd.Singh(App)

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

ORAL ORDER

3 25-04-2016 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 offence
punishable under section 392 of the Indian Penal Code.

Allegedly, the petitioner and 4-5 unknown were
quarreling with the mother, sister and brother of the informant and
further the petitioner and one unknown opened fire causing injury
in left arm of the informant and also to Lallu Kumar. Earlier also
the petitioner had opened fire in the mohallah.

Submission is of false implication and that injuries
found on the person of the informant and Lallu Kumar are not
dangerous to life, against the petitioner and one unknown there is
allegation for opening fire and as such whose shot caused injury is

not known and the petitioner by remaining in custody since 20.9.2014 has been sufficiently penalized to which the learned A.P.P. opposes.

In the facts and circumstances stated above, considering that charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence and as such considering the detention of the petitioner now he is directed to be released on bail on execution of bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Nawada P.S. Case No.405 of 2014, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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