

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70046 of 2018

Arising Out of PS. Case No.-79 Year-2018 Thana- JAMHOR District- Aurangabad

Mahanth Singh Son of Late Mangal Singh, resident of Village- Jagdishpur,
P.S. Jamhore, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr. Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-12-2018 The petitioner seeks regular bail in connection with

Jamhore P.S. Case No. 79 of 2018, registered for offences

punishable under Sections 341, 342, 323, 448, 307, 302, 506, 34

of the Indian Penal Code and Section 27 of the Arms Act.

Allegation as per F.I.R. is that informant's father is

altogether six brothers and there was partition in the family

property and it is alleged that informant's uncle namely Ranjit

Singh, Bhola Singh and Mahanth Singh (petitioner) was trying

to capture his share. Further allegation is that the petitioner and

Ranjit Singh has entered into the house of the informant and

dragged the brother of the informant (deceased) outside and

assaulted him. Thereafter, brother of the deceased and his father

was trying to save him and they were also assaulted. Thereafter,

the petitioner took out a pistol and said to kill Ankur (deceased)



and Ranjit Singh fired upon the deceased, due to which he died and there is also allegation against the petitioner is of firing on the informant due to which he received injury in his left hand.

Submission of learned counsel for the petitioner is that he is issue-less and he has gifted his property to his brother Ranjit Singh and the informant and his brother was trying to capture that land and for that they had come with lathi, bhala and farsa and assaulted the petitioner and others, in his defence the petitioner asked his brother to fire and due to that the informant has also received injury and also there is case and counter case between the parties. Further, as per the F.I.R. the petitioner is only order giver and not the assailant of the deceased and he is in judicial custody since 20.07.2018

Heard learned A.P.P. as well as learned counsel for the informant, they have opposed the prayer for bail of the petitioner stating that the petitioner has ordered to kill the deceased, on which the co-accused has fired and the petitioner is also fired upon the informant causing injury to him, which is grievous in nature.

Having heard both sides, in view of the above facts, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two



sureties of the like amount each to the satisfaction of learned
C.J.M., Aurangabad, in connection with Jamhore P.S. Case No.
79 of 2018,

(Vinod Kumar Sinha, J)

Amjad/-

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