

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45316 of 2018

Arising Out of PS.Case No. -244 Year- 2018 Thana -SA SARAM NAGAR District- SASARAM
(ROHTAS)

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Raja @ Sunil Kumar Mahto, S/o Late Rajendra Singh, R/o Vill.- Amri
Talab, P.S.- Sasaram (M), District- Rohtas at present R/o Vill.- Karpurwa,
P.S.- Darigaw (Sasaram), District- Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy, Advocate.
For the Opposite Party/s : Mr. Damodar Prasad Tiwary, A.P.P.
For the informant : Mr. Siddharth Harsh, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 10-10-2018 Heard learned counsel for the petitioner, learned
counsel for the informant and the State.

The petitioner seeks bail in Sasaram (T) Nagar P.S.
Case No. 244 of 2018 instituted for the offence under Sections
307/34 of the Indian Penal Code and Section 27 of the Arms Act.
Subsequently, Section 302 of the Indian Penal Code was added.

Counsel for the petitioner submits that petitioner is in
custody since 22.03.2018. He is not named in the written report.
His name has come after seven days of lodging the First
Information Report on the basis of statement of son of the
informant recorded before the police in paragraph-59 of the case
diary.



Counsel for the informant has appeared and submits that husband of the informant (since deceased) has given statement before the police which is available in paragraph-2 of the case diary levelling allegation against the accused persons. Counsel for the informant further submits that delay has taken place in recording the statement of son of the informant because he was busy in treatment of his father.

In the written report it is alleged that on the date of occurrence, husband of the informant (since deceased) had sustained firearm injury by three persons who came on Motorcycle. The informant has alleged that her husband disclosed before her the name of Sonu Karpurwa, Satyendra Bharti and some unknown person involved in the firing.

Case diary has been received.

Learned A.P.P. has submitted that Police has recorded the statement of husband of the informant which is available in paragraph-2 of the case diary wherein he has taken the name of Sonu Kumar, Satendra Kumar and one unknown person. The deceased had not taken the name of this petitioner. The name of petitioner has come on the basis of statement of son of the deceased recorded in paragraph-59 of the case diary that he was driving the Motorcycle.



Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram, in connection with Sasaram (T) Nagar P.S. Case No. 244 of 2018, subject to the condition that both the bailors will be the close relatives of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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