

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21737 of 2018

Arising Out of PS. Case No.-69 Year-2017 Thana- DHANGAI District- Bhojpur

Janardan Mahto S/o Jamuna Mahto, R/o Village- Udiyan, Tola Kamariaon,
P.S.- Tiyar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 29-06-2018 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Dhangai P.S. Case No. 69 of 2017, registered for the offence
punishable under Sections 302/34 of the Indian Penal Code
and Section 27 of the Arms Act.

The allegation is regarding the accused persons
having intercepted the informant and the deceased and
thereafter, the petitioner is said to have fired resulting in the
death of the deceased.

The learned counsel for the petitioner submits that
the informant is not the eye-witness and the petitioner has
been falsely implicated in the present case. It is further
submitted that the co-accused person has been granted bail by



this Court by an order dated 22.03.2018 passed in Criminal Miscellaneous No. 7699 of 2018.

I have heard the learned counsel for the petitioner and perused the case diary as also the records and I find that there is specific allegation against the petitioner herein of having assaulted the deceased by gunshot firing resulting in his death. As far as the aforesaid order dated 22.03.2018 passed by this Court is concerned, the petitioner of the said case was not the one who had fired but the petitioner herein is the main assailant, hence, I do not find any merit in the present case, accordingly, the same is rejected.

(Mohit Kumar Shah, J)

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