

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65623 of 2018

Arising Out of PS. Case No.-138 Year-2018 Thana- SAHPUR District- Bhojpur

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Lalan Mahto @ Lalan Singh, Son of Shioraj Mahto, Resident of Village-
Uttardaha, Police Station- Tiar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukul Prasad

For the Opposite Party/s : Mr. Sri Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 13-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **Shahpur P.S. Case No. 138 of
2018** instituted for the offence under Section(s) 302, 307/34
Indian Penal Code and Section 27 of the Arms Act.

There is specific allegation against the petitioner
that he fired with double barrel gun causing injury to nephew of
the informant namely, Ramesh Kumar, in his Stomach, waist,
thigh and also on the upper side of stomach. It is further alleged
that firing made by double barrel gun of the petitioner also hit
another nephew of the informant namely, Vimlesh Kumar and
Om Prakash. They were taken to Refral Hospital Shahpur for
treatment, from where they were referred to Sadar Hospital, Ara,
but Ramesh Kumar died during course of treatment. The



nephew of informant Prakash Yadav was referred to PMCH for better treatment.

Counsel for the informant has appeared and opposed the prayer for bail.

Case diary has been received.

Learned A.P.P. after looking into the case diary submits that Doctor has found firearm injury in the post mortem report on the person of the deceased Ramesh Kumar. He further submits that other injured have also sustained firearm injuries. One of the injured Vimlesh Kumar has stated before the police in his statement that he sustained firearm injury from the gun fired by the petitioner.

Therefore, this Court is not inclined to grant bail to the petitioner at this stage.

Prayer for bail of the petitioner stands rejected.

The trial court is directed to expedite the trial.

(Sanjay Priya, J)

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