

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56653 of 2018

Arising Out of PS. Case No.-84 Year-2016 Thana- SARAIYA District- Muzaffarpur

Sonu Mahato, son of Daroga Mahato, resident of Village- Kubauli, P.S.-
Paroo, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 26-10-2018 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Saraiya P. S. Case No.
84 of 2016 instituted for the offence under Section(s) 341, 307
and 302/34 of the Indian Penal Code and Section 27 of the
Arms Act.

It is alleged in the written report that father and
brother of the informant has sustained gun shot injury. The
informant reached the place of occurrence on hearing the
sound of firing and saw this petitioner along with two other
accused persons, namely, Daroga Mahato and Shambhu Mahato
running away from the place of occurrence. The father of the
informant died during course of treatment.

Learned counsel for the petitioner has submitted that



injured brother of the informant, namely, Mukesh Sah has given statement before the police, wherein, he has stated that this petitioner caught hold him and co accused Shambhu Mahto has fired upon him. He has further stated that co accused Daroga Mahato has fired upon his father.

Prayer for bail of co-accused Daroga Mahto has already been rejected by coordinate Bench of this Court by order dated 10.11.2016 passed in Cr. Misc. 40372 of 2016.

In the written report, there is specific allegation against this petitioner. He was found running away from the place of occurrence along with Daroga Mahato and Shambhu Mahato. The injured brother of the informant, namely, Mukesh Sah has taken the name of this petitioner in his statement before the police.

In such circumstances, this Court is not inclined to grant bail to the petitioner at this stage. The prayer for bail of the petitioner stands rejected.

Trial Court is directed to expedite the trial.

(Sanjay Priya, J)

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