

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44138 of 2018

Arising Out of PS.Case No. -205 Year- 2018 Thana -BARH District- PATNA

=====

1. Ajit Mahto S/o Rajo Mahto, R/o Vill.- Jalgovind, P.S.- Brah, District-Patna (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Sri Amrendra Prasad

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-07-2018 The petitioner is apprehending his arrest in connection with Barh P.S. Case No. 205/2018, registered for offences punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation as per F.I.R. is that informant, who is brother in law of the deceased and the deceased were at boring site and were engaged in the boring work. The petitioner and other accused persons reached there by motorcycle and then Arbind Mahto and Mercury Mahto demanded the commission and when the deceased protested, Arbind Mahto opened fire which hit the deceased namely Birendra Kumar Vidyarthi and, thereafter, Mercury Mahto also fired at him causing death of the deceased.

It has been submitted on behalf of the petitioner that there



is no allegation either of demand of *rangdari* or of firing on the deceased and even the petitioner was not armed with any weapon and has falsely been made accused in this case.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Barh, Patna in connection with Barh P.S. Case No. 205/2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, it is further subject to the condition that:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before



the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

sunil/Amjad/-

U		T	
---	--	---	--

