

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11481 of 2019**

Arising Out of PS. Case No.-86 Year-2018 Thana- NOWKOTHI GARHPURA District-
Begusarai

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BRAHMDEO MAHTO @ BRHAMDEV MAHTON Son of Late Challitar
Mahto Resident of Village - Bagras Bisunpur, P.S.- Bakhri, District -
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate.

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 26-02-2019 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in **Nawkothi P.S. Case
No. 86 of 2018**, instituted for the offence under Section(s) 147,
148, 149, 307, 353 of the Indian Penal Code, Sections 25(1-b)a,
26, 27 and 35 of the Arms Act.

It is alleged in the written report that Police party
went to search two accused persons, Bambam Mahto and Bhulla
Mahto. On seeing the raiding party, the miscreants started
making firing. The Police identified Bambam Mahto and his
son-in-law namely, Diwakar Singh. Police could not identify
other co-accused persons. In counter firing the co-accused
Bambam Mahto sustained gun shot injury in his leg. Three



persons namely, Bambam Mahto @ Ram Prakash Mahto, Brahamdeo Mahto (petitioner) and Lakhan Paswan have been apprehended. Petitioner is alleged to have been arrested while he was running away. It is further alleged that one country made pistol and live cartridges have been recovered from possession of the petitioner.

Counsel for the petitioner submits that petitioner is in custody since 25.8.2018 having clean antecedent. There is no allegation of any specific overt act against the petitioner.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail 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 Judicial Magistrate, 1st Class, Begusarai**, in connection with **Nawkothi P.S. Case No. 86 of 2018**, subject to the condition that both the bailors will be close relatives of the petitioner.

(Sanjay Priya, J)

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