

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15710 of 2019

Arising Out of PS. Case No.-124 Year-2016 Thana- RAMGARHWA District- East
Champaran

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Munnilal Mahto S/o Asharfi Mahto, Resident of Village-Murgiya Tola, P.S.-
Ramgarhwa, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Saroj Kumar Sharma
For the Opposite Party/s : Mr.Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 26-03-2019 Heard the learned counsel for the petitioner and the

learned counsel for the State.

The petitioner seeks regular bail in connection
with Ramgarhwa PS case no. 124 of 2016 registered for the
offence punishable under Sections 302, 307 and other sections
of Indian Penal Code and 27 of Arms Act.

The allegation is regarding the accused persons
having arrived at the land of the informant and a quarrel took
place on account of cutting of the tree by the accused persons.
While the two parties were quarreling with each other, the
accused persons, on the order of Md. Husnen fired from their
pistol causing two firearm injuries on the chest of the deceased
resulting in his death. In the F.I.R., specific allegation of firing



gun shot has been levelled against the sons of the co-accused Md. Husnen namely Sheikh Sayeed and Sheikh Nisar. The only allegation as against the petitioner herein is being the member of the unlawful assembly.

The learned counsel for the petitioner submits that the petitioner has been falsely roped in the present case, inasmuch as no allegation of any sort of overt act has been levelled against the petitioner. It is further submitted that the petitioner is having clean antecedent and he is languishing in custody since 01.11.2018.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the abovenamed petitioner is directed to be enlarged on regular bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Raxaul at Motihari in connection with Ramgarhwa PS case no. 124 of 2016.

(Mohit Kumar Shah, J)

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