

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60122 of 2019

Arising Out of PS. Case No.-51 Year-2019 Thana- JAMUI District- Jamui

MANISH MAHTO, aged about 22 years, Male, Son of Ram Pravesh Mahto
Resident of Village - Kakan, P.S.- Jamui, Dist.- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Sinha
For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 27-11-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 147, 148, 149, 302, 120(B), 504 of the Indian Penal Code and Section 27 of the Arms Act.

Informant in her written complaint has alleged that on 31.01.2019 at about 5 p.m. when she along with her family members and deceased Manikant were sitting at the door then F.I.R. named accused came and started abusing the informant and family members and, thereafter, dragged the son of informant Manikant and there is allegation against Subhash Mahto of firing on chest and second shot was fired by Saudagar Mahto in the stomach and third shot was fired by Dularchand Mahto in his chest as a result of which, her son died. Thereafter, it is alleged that petitioner fired over his right hand.



It has been submitted on behalf of the petitioner that he has been implicated in this case due to enmity and written complaint was prepared after much deliberation as the incident is of 31.01.2019 of 5 p.m. whereas FIR was instituted on 01.02.2019 at 5.15 a.m. During the investigation also, statement of independent witnesses have been recorded by the investigating officer in which there is no allegation of firing made by the petitioner. Petitioner is in custody since 08.04.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Jamui P.S. Case No. 51/2019, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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

