

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69372 of 2019

Arising Out of PS. Case No.-128 Year-2016 Thana- KHODAWANDPUR District- Begusarai

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VIJAY KUMAR @ VIJAY KUMAR MAHTO @ VIJAY MAHTO Son of
Upendra Mahto Resident of Village- Patla, Ward No. 14, Amari Tola, P.S.-
Khodawandpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Adv.

For the Opposite Party/s : Ms. (Dr.) Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
10.06.2019 in a case registered for the offences punishable
under Sections 307, 120B,34 of the Indian Penal Code and
25(1-B)a, 27 of the Arms Act.

The prosecution case is that the informant, Ramjivan
Mahto was taking morning walk on 08.10.2016 at 4.30 A.M.
along with his brother, namely, Ramadhar Singh and his friend



Ramadhar Yadav, in the meantime, two persons came and resorted to fire which resulted into injury on the head of the brother of the informant. Thereafter, the accused persons go down from the motorcycle and ordered to kill the brother of the informant, though the informant caught hold of one of the accused from behind, but the fire made by the accused caused injury on the right knee of the informant, leading to registration of FIR against unknown. Subsequently, the name of the petitioner sprang up during investigation on the basis of statement of co-accused, Rajesh Mahto.

It is submitted by learned counsel for the petitioner that in the FIR, the specific accusation of firing has not been levelled against the petitioner, rather it has been alleged against him that he only threatened the brother of the informant and the investigation has already been concluded.

Learned APP for the State submits that the name of the petitioner sprang up during investigation.

Considering the investigation being already concluded and specific accusation of firing has been levelled against unknown, let the above named petitioner 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 SDJM, Manjhaul, Begusarai, in connection with
Khodawandpur P.S. Case No. 128 of 2016.

(Dinesh Kumar Singh, J)

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