

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23185 of 2020

Arising Out of PS. Case No.-1 Year-2019 Thana- MANJHAGARH District- Gopalganj

Raj Kumar Mahto S/o Late Lauhar Mahto @ Lahwar Mahto Resident of
Village- Jhahjwa, P.S.- Manjhargarh, Distt- Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ansul
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 02-11-2020 Heard counsel for the petitioner and State.

Petitioner seeks bail in Manjhagarh P.S. Case No. 1 of 2019, registered from the offence under Section 307 & other allied sections of the Indian Penal Code, Section 27 of the Arms Act and Sections 4/5 of the Explosive Substances Act.

As per the prosecution case, when the informant and his brother were sitting in Bathan, the petitioner alongwith ten other co-accused persons and fifteen unknown accused, armed with pistol, bomb and *farsa*, came at this door on a tractor and started playing obscene songs, which was objected by informant's brother. Thereafter, this petitioner is alleged to have fired from his country-made pistol in the right knee of informant's brother, by which, he fell down. It is further alleged that when informant came to save his brother, he also sustained injury over his head. Thereafter, other accused persons hurled bomb on informant's house and on hulla, all accused fled away.



It is submitted on behalf of petitioner that petitioner is innocent and has been falsely implicated in this case. In fact, some scuffle took place between two groups on trivial issue, as a result of which, some *Maarpit* took place between the parties. No fire-arm injury has been received by anyone and in support of the same, injury report has been annexed with this petition, as Annexure - 2.

However, counsel for the State vehemently opposed the bail application and submitted that there is specific allegation against the petitioner, which is duly supported by the injury report, as well as petitioner has also got criminal antecedent and he is accused in altogether nine cases.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The bail application of petitioner stands rejected.

(Prabhat Kumar Singh, J.)

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