

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33316 of 2020

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

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BHULLA MAHTO @ NIRAJ MAHTO Son of Bam Bam Mahto @ Ram
Pravesh Mahto, Resident of Village - Samsa, P.S. - Naokothi, District -
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nakul Kumar Jamuar, Adv.

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 15-12-2020 Heard both sides through Video Conferencing.

Petitioner seeks bail in Nawkothi P.S. Case No.86 of
2018 registered under Sections 147, 148, 149, 307, 353 of the
IPC and under Sections 25(1-b)a, 26, 27 and 35 of the Arms
Act.

The informant alleged that when the informant and
other police officials had gone to the house of the petitioner for
execution of the process issued under Sections 82 and 83 of the
Cr.P.C., the petitioner and other accused persons started firing
on the police personnel. The police in self-defence also fired.
One of the miscreants sustained gunshot injury.

Learned counsel for the petitioner submits that
omnibus and general allegation is made against the petitioner



and other accused persons. Diwakar Singh @ Raman Singh @ Pankaj Singh has already been granted bail vide order dated 03.07.2019 passed in Cr.Misc.No.41063 of 2019. The petitioner is in jail for than one and half years and the trial has not yet been concluded. The petitioner has, of course, got criminal antecedent but the father of the petitioner is a criminal and that is why the police implicated the petitioner in all cases in which his father is an accused.

Learned APP, however, opposed the prayer for bail.

Taking into consideration the facts and the nature of allegations made against the petitioner and the fact that similarly situated co-accused has already been granted bail and the petitioner has remained in jail for more than one and half years, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/-(rupees ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge Xth, Begusarai in connection with Nawkothe P.S. Case No.86 of 2018 corresponding to S.T. No.570 of 2019.

(Prabhat Kumar Jha, J)

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