

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54707 of 2019

Arising Out of PS. Case No.-12 Year-2018 Thana- NOWKOTHI GARHPURA District-
Begusarai

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MUKESH MAHTO Son of Late Bhuneshwar Mahto Resident of Village -
Samha, P.S.- Naokothi, Distt - Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 66662 of 2019

Arising Out of PS. Case No.-12 Year-2018 Thana- NOWKOTHI GARHPURA District-
Begusarai

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NARESH MAHTO S/o Basant Lal Mahto @ Anand Lal Mahto R/o Village-
Samsa, P.S.- Naokothi, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 54707 of 2019)

For the Petitioner/s : Mr.Sandip Kumar Gautam

For the Opposite Party/s : Mr.Surendra Prasad Singh

(In CRIMINAL MISCELLANEOUS No. 66662 of 2019)

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr.Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 02-03-2020 Petitioners seek regular bail in connection with

Naokothi P.S. Case No. 12 of 2018 registered for the offences

punishable under Sections 302, 120(B)/34 of the Indian Penal

Code and Section 27 of the Arms Act.

Both Cr. Misc. No. 54707 of 2019 and 66662 of 2019

arises out of same Naokothi P.S. Case No. 12 of 2018 as such



they have been taken together for disposal.

Prosecution is that that petitioners in both the cases along with one co-accused have taken the deceased and shot him dead.

Submission of learned counsel for the petitioners in both the cases is that that nobody is the eye witness of the occurrence which will appear from the fact that no specific allegation has been made on which part of body they have fired. Moreover, the informant has not supported the prosecution case in his evidence in Court. Petitioners are in custody for about a year.

Heard learned APP and perused the record from which it appears that the trial has commenced and informant has been examined as per the submission of learned counsel for the petitioner as such at this stage I am not inclined to grant bail to the petitioner. However, petitioners would be at liberty to renew their prayer for bail once the charge is framed or after completion of six months in custody whichever is earlier.

(Vinod Kumar Sinha, J)

SONALI/Niraj

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