

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81050 of 2019

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

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DULARCHAND MAHTO, Son of Viranchi Mahto, Resident of Village -
Kakan, P.S. - Jamui, Distt. - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate
		Mr. Pankaj Kumar Sinha, Advocate
For the Opposite Party/s :		Mr. Sunil Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 18-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

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

According to FIR, first firing was made by co-accused
Subhash Mahto which hit at the chest of the son of the
informant. The second firing was made by Saudagar Mahto
causing injury at the abdomen of the same person and third
firing was made by the petitioner causing injury at the side of
the abdomen.

The postmortem report would reveal that four firearm
injuries were found by the Doctor. One at epigastric region.
Another just below umbilicus. On dissection spleen, kidney



were found damaged.

Learned Senior Counsel for the petitioner submits that the witnesses have stated before the police that firing made by Subhash Mahto has already killed the deceased and thereafter firing by others does not matter, rather false allegation is there, just to pressurize the petitioner. Petitioner is in custody since 08.04.2019.

Considering the nature of allegation and material available on the record, I am not inclined to enlarge the petitioner on bail for the present in connection with Jamui Police Station Case No. 51 of 2019 pending in the court of learned Chief Judicial Magistrate, Jamui/successor court.

Hence, prayer for bail is refused.

If the trial of the case is not concluded within a period of nine months from the date of receipt/production of a copy of this order by the learned court below, the petitioner would be at liberty to renew the prayer for bail before the court below itself who shall pass a reasoned order.

(Birendra Kumar, J)

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