

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85090 of 2019

Arising Out of PS. Case No.-10 Year-2018 Thana- KURSAILA District- Katihar

Bijay Mahto @ Vijay Mahto S/O Late Nepali Mahto Resident of Village -
Gobrahi, P.S. - Kursela, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Yadav

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-03-2020 Heard the parties.

This application is for grant of regular bail in connection with Kursela P.S.Case No.10 of 2018 for the offences under Sections 302 and 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per FIR, there is allegation against the petitioner and other accused persons of firing but in para nos. 4 and 5 of the case diary, it has come specifically that the petitioner has fired; causing death of the deceased.

Submission of the learned counsel for the petitioner is that no specific allegation has been attributed against the petitioner. There is no eye witness of the occurrence and he has falsely been implicated in this case. He is in custody for more than eight months. Charge sheet has been submitted.



Heard learned A.P.P. , who has opposed the prayer
for bail stating that the petitioner is the main assailant.

Having heard both sides and in view of the facts
and circumstances, as stated above, I am not inclined to grant
bail to the petitioner at this stage.

With the aforesaid observation, this application is
dismissed.

(Vinod Kumar Sinha, J)

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