

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1262 of 2020

Arising Out of PS. Case No.-122 Year-2019 Thana- DHARHARA District- Munger

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RUKO MAHTO @ RUKOO MAHTON @ ROKO SINGH S/O Late Tufani
Mahton R/O village- Shiv Kund, Nishad Tola, P.S.- Dharhara (Hemzapur
O.P.), District- Munger.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

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Appearance :

For the Petitioner : Mr. Ajit Kumar Singh, Advocate.
For the State : Mr. Rana Randhir Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 23-01-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Sessions
Trial No.243 of 2019, arising out of Dharhara P.S. Case No.122
of 2019, registered under Sections 147, 148, 149 and 302 of the
Indian Penal Code besides Section 27 of the Arms Act.

The accusation is that the informant along with others
were present at the roof of the house of Sudhir Mahto on the
occasion of the marriage. At that time, 7 persons, named in the
F.I.R. including the petitioner having pistol in their hand came
there and started firing asking them to flee away from there.
While some persons of the informant's side made protest but the
aforesaid persons continued firing. At that time, Babloo Singh



shot fire through pistol at Baby Kumari, the daughter of the informant, which hit at her neck and she died on the spot. While the daughter of the informant was being taken to the hospital but the people declared her daughter dead.

Learned counsel appearing on behalf of the petitioner submits that while the petitioner along with others are named in the F.I.R. with the allegation of making firing but the specific allegation is against the co-accused Babloo Singh to shot fire through pistol at the daughter of the informant, causing injury on her neck due to which she died on the spot. While the petitioner is accused in two other cases, as detailed in paragraph-3 to this application, but in those cases, the petitioner is on bail. Further submission is that the similarly situated co-accused Pawan Singh and Tuno Singh have already been granted bail by a Bench of this Court vide order dated 04.12.2019 passed in Criminal Misc. No.74062 of 2019. The petitioner surrendered before the court below on 22.08.2019 and since then he is in custody.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the Sessions Judge, Munger, in connection with
Sessions Trial No.243 of 2019, arising out of Dharhara P.S. Case
No.122 of 2019.

(Rajendra Kumar Mishra, J)

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