

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26967 of 2021

Arising Out of PS. Case No.-360 Year-2020 Thana- BARAUNI District- Begusarai

SHRAVAN MAHTO S/O BHARAT MAHTO @ BHARAT NISHAD R/O
VILLAGE-SIMARIYAGHAT BIND TOLI, P.S-BARAUNI, DISTRICT-
BEGUSARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No.1

For the Opposite Party/s : Mr. Bisheshwar Ram

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-07-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual Court proceedings.

Learned counsel for the petitioner undertakes to
remove the defects within four weeks of resumption of normal
court proceeding. In the eventuality of non-removal of defects
within undertaken period, the office will place the matter before
the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Section 307 & 353/34 of the Indian
Penal Code and Section 25 (1-b)a, 26, 27 & 35 of the Arms Act.

Acting on a tip-off, when the informant along with
the police force rushed to the place where the miscreants were
assembled, after seeing the police they started to escape and in



course of one miscreant fired at police but was intercepted by police and remaining miscreant succeeded to escape. The petitioner is said to have apprehended by the police and on search one country made pistol, one live cartridge and one mobile phone is said to have been recovered from his possession.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He is quite innocent and has been falsely implicated in this case merely on suspicion. No incriminating article has been recovered from his conscious physical possession rather the alleged articles have been planted by the police. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Charge sheet has already been submitted against the petitioner. The petitioner has been languishing in custody since 19.09.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid and the period of custody, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the



satisfaction of the learned Court below where the case is pending/successor Court in connection with Barauni P.S. Case No.360 of 2020.

(Anjani Kumar Sharan, J)

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