

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35310 of 2021**

Arising Out of PS. Case No.-80 Year-2020 Thana- UPHARA District- Aurangabad

Ranjeet Kumar Son Of Dudheshwar Mahto Resident of Village- Shankardih,
P.S.- Upahara, District- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mrs.Usha Kumari 1
For the Opposite Party/s :	Mr.Mritunjay Kumar Nirala
	Mr.Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2. 08-12-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Upahara P.S. Case No. 80 of 2020, registered for the offence under Sections 147, 148, 149, 302 of the Indian Penal Code and Section 27 of the Arms Act.

As per the F.I.R., this petitioner alongwith 13 other named accused persons took away father of the informant and thereafter, it is alleged that the accused persons abused and killed him by *lathi*, *danda*, *garasa* and gun.

It is submitted on behalf of petitioner that petitioner has falsely been implicated in this case due to admitted land dispute between the parties. It is further submitted that uncle of this petitioner had filed a case against informant and his family members and due to this fact, this petitioner has been made accused in this case. Falsity of the case is apparent from the fact



that as per F.I.R., the informant, who claims to be eye-witness of the occurrence, has alleged that the deceased was assaulted and shot, whereas, in the *post-mortem* report, no fire-arm injury has been found on the person of deceased. Petitioner is in custody since 14.12.2020.

However, learned counsel for the informant has opposed the bail petition and submitted that informant is eye-witness of the occurrence and this petitioner alongwith other co-accused persons have assaulted and killed the father of informant.

Considering the general and omnibus nature of allegation as well as period of custody, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad in connection with Upahara P.S. Case No. 80 of 2020.

(Prabhat Kumar Singh, J.)

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