

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36495 of 2021

Arising Out of PS. Case No.-32 Year-2019 Thana- SONBERSA District- Sitamarhi

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VIJAY MAHTO Son of Tilakdhari Mahto, Resident of Village- Araria, P.S.-
Kanhauli, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

For the Opposite Party/s : Mr. Md.Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-12-2021 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in connection with Sonbarsa
P.S. Case No. 32/2019 instituted for the offences under Sections
341, 323, 307, 506, 34 of the Indian Penal Code and Section 27
of the Arms Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 10.11.2020, charge-sheet has been
submitted in this case.

Learned counsel for the petitioner further submits that
from perusal of the allegation as alleged in the FIR, it would
manifest that the informant alleged that on 17.11.2018, he was
returning from his Fufa's village on a four wheeler of his friend
Indal Mahto to his house alongwith three other friends, when



their vehicle reached somewhere in between Bela and Dostiya then they stopped the vehicle for attending call of nature, a motorcycle ridden by three persons reached there and one of them drew pistol from his waist and fired upon him and the bullet pierced through his left knee and blood came out from the wound. He alleged that out of three assailants, he identified two of them, who shot him namely, Md. Rasool and Vijay Kumar. Thereafter, all the three assailants fled away.

Learned counsel for the petitioner submits that in the FIR it is alleged that co-accused, namely Md. Rasool Sheikh and Vijay Kumar, who fired at the informant, co-accused, namely Md. Rasool Sheikh has been granted bail on 02.07.2020 passed in Cr. Misc. No.20548/2020.

Learned APP for the State opposes the bail application.

Considering the facts that co-accused has been granted bail, the petitioner, above named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Sonbarsa P.S. Case No. 32/2019; with a condition that the petitioner in between 20th



to 25th of every month commencing from January, 2022 will mark his attendance in the concerned police station till the charges are not framed and in the event, if the concerned police station reports to the learned Court below that the petitioner in between 20th to 25th of any of the month has not marked his attendance till framing of the charge, the learned Court below will be at liberty to cancel his bail bond.

(Satyavrat Verma, J)

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