

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37681 of 2021**

Arising Out of PS. Case No.-89 Year-2020 Thana- MANPUR District- Nalanda

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LAKSHMICHAND PRASAD @ CHANDMUNI MAHTO S/O LATE
RADHE MAHTO R/O VILLAGE-DHANUKI DIH, POLICE STATION-
MANPUR, DISTRICT-NALANDA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Tej Narayan Singh

For the Opposite Party/s : Mr.Murli Dhar

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 08-12-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner seeks bail in connection Manpur P.S. Case
no. 89 of 2020 registered for the offence punishable under
sections 147, 148, 149, 302, 504 of the Indian Penal Code read
with section 27 of the Arms Act.

Learned counsel for the petitioner submits that
petitioner is in custody since 08.10.2020 and is person with
clean antecedent and charge sheet has been submitted and is 70
years old. Learned counsel for the petitioner submits that from
perusal of the allegation as alleged in the FIR, it would manifest
that the informant alleges that this petitioner along with Jamun
Paswan ordered based on which Uttam Paswan fired at the



deceased thereafter all accused persons excluding this petitioner and Jamun Paswan fired indiscriminately killing the deceased which hit all over his body. Learned counsel submits that from perusal of the allegation as alleged in the FIR, it would manifest that this petitioner has been alleged that he was one of the order giver along with Jamun Paswan, as far as killing of the deceased is concerned, specific allegation is against Uttam Paswan and other accused persons who indiscriminately fired at the deceased. As such petitioner is not alleged to be assailant of the deceased.

Learned APP vehemently opposes the prayer for bail.

Considering the facts that petitioner is 70 years old and is person with clean antecedent and is in jail custody and charge sheet has been submitted, the petitioner is directed to be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate V, Nalanda at Biharsharif in Manpur P.S. Case no. 89 of 2020.

(Satyavrat Verma, J)

s.hassan/-

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