

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44261 of 2021

Arising Out of PS. Case No.-45 Year-2016 Thana- KUNAU LI District- Supaul

Sukhram Mehta, Son Of Sri Nandi Mehta Resident Of Village- Bathanaha,
P.S.- Kunauli, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat- Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Kunauli
P. S. Case No.45 of 2016, instituted for the offences under
Sections 307, 326, 323, 341, 147, 148, 149 of the Indian Penal
Code read with Section 27 of the Arms Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 07.04.2021 and charge-sheet has
been submitted against him.

The learned counsel for the petitioner submits that the
informant alleges that three accused persons came on a
motorcycle and two were behind them on foot. It is further
alleged that one of the accused sitting on the motorcycle gave
orders to kill on which, it is alleged that Khelan Mahto fired



causing injury on the back of the informant and Durga Mehta fired which missed. It is further alleged that the informant recognized Lakhan Mehta, who was sitting on the bike.

The learned counsel for the petitioner submits that from perusal of the F.I.R., it would manifest that petitioner is not named in the F.I.R. and his name transpired during the course of investigation as a conspirator in crime that while in jail he planned the killing of the informant. The learned counsel further submits that no material, as such, has come against the accused implicating him directly in the case except that after the accused got released from jail from another case thereafter the informant after two years of the occurrence implicated him alleging that he had conspired while in custody to get him killed.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody since 07.04.2021, charge-sheet has been submitted against him and his name transpired in the case two years after the occurrence, 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 Shri Bibhuti Bhushan, learned



Judicial Magistrate, 1st Class, Birpur, Supaul in connection with
Kunauli P. S. Case No.45 of 2016.

The application stands allowed.

(Satyavrat Verma, J)

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