

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34232 of 2020

Arising Out of PS. Case No.-315 Year-2018 Thana- BALIYA District- Begusarai

Hare Ram Mahto S/o Charitar Mahto Resident of Village-Jagdishpur, P.S.-
Ballia, District-Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 08-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of four
weeks.

The petitioner is apprehending his arrest in a case registered
under Sections 447, 341, 323, 504, 506, 379, 384, 427, 307, 34 of the
Indian Penal Code and 27 of the Arms Act.

Allegedly, while the informant was cultivating the land of his
landlord, the petitioner along with others having armed with weapon,
came there. It is also alleged that on the order of Sulo Mahto, one
Bipin Thakur opened fire upon the informant. While the informant
tried to flee away, he was caught. The petitioner is alleged to have
opened fire upon the informant which crossed through his ear.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of



tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case for oblique reasons. Though there is allegation of firing against the petitioner but the same did not hit anyone. There is no injury report to support the offence under Section 307 of the Indian Penal Code.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Rajeev Kumar, learned Judicial Magistrate-Ist Class, Begusarai in connection with Ballia P.S. Case No. 315 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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