

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5284 of 2021

Arising Out of PS. Case No.-210 Year-2018 Thana- KARAKAT District- Rohtas

Haricharan Mahto Son Of Jainath Mahto @ Jairam Mahto @ Jae Mahto
Resident Of Village - Itrihiya, P.S.- Karakat, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-03-2021 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Karakat P.S. Case no. 210 of 2018 registered under sections 147, 148, 149, 307 and 323 of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, it is stated by the informant that over a dispute relating to passage, the accused persons including the petitioner herein gathered variously armed. It is stated that on the instigation of accused Chandra Shekhar Singh, Ajay Singh fired from his katta which hit the informant's son in his left hand causing serious injuries. He was taken to the hospital for treatment and as such the delay in lodging of the FIR.

It is submitted by learned counsel for the petitioner



that the allegations as levelled in the FIR are false and incorrect. Even as per the FIR, the allegation of overt act is on Ajay Singh and not the petitioner herein who at best can be said to be a member of unlawful assembly. There is an unexplained delay of 9 days in lodging of the FIR. The petitioner is in custody since 14.6.2020 and charge sheet has been submitted in the case.

The application for bail is opposed by learned APP for the State. .

Having heard learned counsel for the parties and in view of the fact that the petitioner is not stated to be the assailant of the son of the informant together with the period in custody and charge sheet having been submitted in the case, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Karakat P.S. Case no. 210 of 2018 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate II, Bikramganj (Rohtas).

(Partha Sarthy, J)

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