

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4698 of 2021

Arising Out of PS. Case No.-8 Year-2020 Thana- PIRPAINTI District- Bhagalpur

RAJU MAHTO SON OF BINOD MAHTO RESIDENT OF VILLAGE-
KIRTANIA, P.S- PIRPAINTY, DISTT- BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.N.K. Agrawal, Sr. Adv. Mr.Pravin Kumar Sinha, Adv.
For the Opposite Party/s	:	Mr.Umesh Nand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-05-2021 Heard learned Senior Counsel Mr. N.K. Agrawal for the petitioner assisted by Mr. Pravin Kumar Sinha, Advocate and Mr. Umesh Nand Pandit, learned A.P.P. for the State through virtual court proceeding.

The petitioner seeks bail in connection with Pirpainty P.S. Case No.08/2020 registered for the offence punishable under Section 394 of the IPC and section 27 of the Arms Act.

As per the prosecution case, the informant being driver of a truck was in his way to load stones and when he reached under Pirpainty P.S. at Maini pool near Pakariya, two persons armed with weapon came there, stopped the truck and started damaging the glass of the vehicle. The miscreants snatched Rs.20,000/- from his pocket and fired upon the informant. The



bullet hit him on the back and passed away. Thereafter the informant went to hospital for his treatment.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and has not committed any offence as alleged in the FIR and has been falsely implicated in this case on the basis of suspicion. No incriminating article has been recovered from the conscious physical possession of the petitioner. Till date no T.I. parade has been conducted. The petitioner has got one criminal antecedent as per para-3 of the bail application and has been languishing in custody since 04.09.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, **after framing of the charge** on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XI, Bhagalpur in connection with Pirpainty P.S. Case No.08/2020.

(Anjani Kumar Sharan, J)

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