

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29087 of 2021

Arising Out of PS. Case No.-205 Year-2018 Thana- BARH District- Patna

ARBIND MAHTO @ BHAGAT JEE @ GUHAN SON OF RAJO MAHTO
@ RAJESHWAR MAHTO RESIDENT OF VILLAGE- JALGOBIND, P.S.-
BARH, DISTRICT- PATNA (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Soni Srivastava
Mr.Arbind Kumar
For the Opposite Party/s : Mrs.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 23-02-2022 Heard Mrs. Soni Srivastava, learned counsel for the
petitioner and Mrs. Renu Kumari, learned APP for the State.

Petitioner seeks regular bail in connection with Barh
PS Case No. 205 of 2018 registered for the offence under
Section 302 / 34 of the IPC and Section 27 of the Arms Act.

Petitioner along with other accused persons alleged to
have fired upon the brother-in-law of the informant due to non
payment of commission to them.

Mrs. Srivastava, learned counsel for the petitioner
submits that petitioner has falsely been implicated in this case
and there is no eye witness to the occurrence. She further
submits that during the course of investigation three (03) entry
wounds have been found on the body of the deceased , whereas ,



two (02) bullets were fired upon the deceased. Petitioner is in custody since 25 – 10 – 2019.

On the other hand, Mrs. Renu Kumari, learned counsel for the State submits that informant is an eye witness which would be apparent from the statement given by him in the First Information Report and there is specific allegation against the petitioner that he fired along with other accused person upon the deceased. How many bullets were fired is not mentioned and this discrepancy is minor in nature. She further submits that petitioner is a dreaded criminal and altogether twenty (20) criminal cases are pending against him.

Regard being had to the submissions made by learned counsel for the parties, taking into consideration the fact that there is specific allegation against the petitioner of firing upon the deceased and the petitioner appears to be history sheeter having twenty (20) criminal antecedent, I am not inclined to grant regular bail to the petitioner.

Accordingly, the same is rejected.

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(Anil Kumar Sinha, J)

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