

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24752 of 2022

Arising Out of PS. Case No.-134 Year-2019 Thana- SONBERSA District- Sitamarhi

Viranjan Mahto S/o Late Bela Mahto Resident of Village - Sonbarsa, Police
Station - Sonbarsa, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhubala Verma

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-09-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 302/34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, co-accused Jitendra Mahto and Sushil Mahto shot dead the son of informant.

It is submitted that specific allegation of firing is against other co-accused persons. Petitioner is only alleged to be driving the motorcycle on which other co-accused were pillion driver.. The police after investigation submitted final form stating that he was not present on the spot and not sent up for trial, but the court below differing with the same took cognizance against the petitioner. Petitioner claims clean antecedent.



Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate IV, Sitamarhi in connection with Sonbarsa P.S. Case No. 134 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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