

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24549 of 2022

Arising Out of PS. Case No.-141 Year-2021 Thana- BIBHUTIPUR District- Samastipur

SHANKAR MAHTO @ SHANKAR KUMAR S/O GHURAN MAHTO R/o
village- Singhia Ghat, Ward No. 06, P.S.- Bibhutipur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mahendra Pratap, Adv.

For the Opposite Party/s : Mr.Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-08-2022 Heard learned counsel for the petitioner and learned APP
for the State.

Learned counsel for the petitioner undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner apprehends his arrest in a case in connection with Bibhutipur P.S. Case No.141 of 2021, registered for the offence punishable under Section 302 of the Indian Penal Code and section 27 of the Arms Act.

Allegedly, the petitioner is said to have shot fire upon his wife, who died in course of treatment.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He



has been falsely implicated in this case. No such occurrence in the manner as alleged has ever taken place. There is no eye-witness to the alleged occurrence and only on suspicion, petitioner has been made accused in this case. Petitioner is the husband of the deceased and at the time of occurrence he was not present in the village and had gone to attend a marriage ceremony. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail by submitting that the victim died to firearm injury as per the inquest report and the witnesses have supported the prosecution case as mentioned in para-5, 6 and 7 of the case diary.

Under the aforesaid circumstances, considering the nature of allegation, I am not inclined to grant anticipatory bail to the petitioner named above. The prayer for bail on his behalf is hereby rejected.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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