

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36004 of 2021

Arising Out of PS. Case No.-53 Year-2020 Thana- SONBERSA District- Sitamarhi

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VIJAY MAHTO @ AJAY KUMAR Son of Chandradeo Mahto Resident of
Village - Kohbarwa, Ward No. 4, P.S.- Sonbarsa, District - Sitamarhi, PIN
Code -843330.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Uday Kumar, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-03-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the Office, within a
period of four weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 302/34 of the Indian Penal Code and
27 of the Arms Act.

The prosecution allegation, in short, is that while the
informant along with his brother was returning, the accused
persons fired which hit the brother of the informant due to
which he sustained injury and later succumbed to the injury.

It has been submitted on behalf of the petitioner that



the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. There is no allegation of assault alleged against the petitioner. Specific allegation of firing is alleged against co-accused Sandeep Mahto.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Sonbarsa P.S. Case No. 53 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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