

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37329 of 2021

Arising Out of PS. Case No.-47 Year-2019 Thana- MARANCHI District- Patna

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KUMOD @ THOOTH A SON OF LATE SHIWAN MAHTO Resident of
Simariya Ghat Bind Toli, P.S.- Chakiya O.P., District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 11-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, it is stated by the informant that while he was at home he could hear sound of indiscriminate firing going on outside. One of the shots hit his nephew who died on spot. The informant states that on his coming out he saw the four named accused persons including the petitioner herein as also ten other unknown persons whom he could not identify. It transpired that there was firing between two groups in which the occurrence took place and his nephew was killed.



It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. No overt act has been alleged against him. The allegations are general and omnibus in nature. There are no eye witness to the actual occurrence. The petitioner is in custody since 15.1.2021 and chargesheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner having remained in custody for over 1 year, the petitioner is directed to be enlarged on bail in connection with Marachi (Pachmahla) P.S. Case no. 47 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Barh, District Patna.

(Partha Sarthy, J)

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