

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39988 of 2021

Arising Out of PS. Case No.-206 Year-2020 Thana- DALSINGHSARAI District- Samastipur

Jitendra Mahto Son Of Late Lakshmi Mahto Resident Of Village- Kewta,
P.S.- Dalsingsarai, District- Samastipur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Sinha

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-01-2022 Heard the learned counsel for the petitioner and the
learned APP for the State through video conferencing.

The petitioner seeks bail in connection with Dalsing Sarai P. S. Case No.206 of 2020, instituted for the offences under Sections 341, 323, 324, 307/ 34 of the Indian Penal Code and Section 27 of the Arms Act.

The learned counsel for the petitioner submits that the petitioner is in custody since 03.02.2021, he is a person with clean antecedent and charge-sheet has been submitted in the case.

Allegation is of firing by petitioner hitting the chest of the informant.

The learned counsel for the petitioner submits that petitioner has been falsely implicated as would be evident from



Annexure-2, which is the F.I.R. instituted by the wife of this petitioner wherein she has alleged that the informant was hit in firing made by one Vikas Rai. The learned counsel submits that informant is a person with criminal antecedent and he was shot by his enemy, but the petitioner came to be implicated in the present case.

The learned A.P.P. for the State opposes the bail application.

Considering the fact that the petitioner is in custody since 03.02.2021, he is a person with clean antecedent, charge-sheet has been submitted in the case and prima facie there appears to be a defence in favour of the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Dalsing Sarai, Samastipur in connection with Dalsing Sarai P. S. Case No.206 of 2020, subject to condition that petitioner shall be released after framing of charge.

The application stands allowed.

(Satyavrat Verma, J)

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