

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33744 of 2022

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

SHYAM BABU MAHTO @ SHYAM MAHTO Son of Ramchandra Mahto
Resident of Village - Sonbarsa, P.S.- Sonbarsa, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Madhubala Verma

For the Opposite Party/s : Mrs.Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-10-2022 Heard learned counsel for the parties.

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

According to the F.I.R., co-accused Jitendra Mahto and Sushil Mahto shot dead son of the informant.

It is submitted on behalf of petitioner that though, petitioner is named in the F.I.R., but there is no allegation of firing against him. Petitioner is only alleged to be driving one of the motorcycle, on which, assailant was riding. Similarly situated co-accused Viranjan Mahto has already been granted bail by this Court, vide order dated 12.09.2022 passed in Cr.Misc. No. 24752 of 2022.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail.



Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner 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 learned A.C.J.M. - IV, Sitamarhi in connection with Sonbarsa P.S. Case No. 134 of 2019, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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