

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36954 of 2022

Arising Out of PS. Case No.-72 Year-2022 Thana- SAHEBGANJ District- Muzaffarpur

Phuldeo Mahto Son Of Late Jaleshwar Mahto, Resident Of Village- Parsa
Sadar, P.S.- Sahebganj, District- Muzaffarpur Petitioner/s
Versus

The State Of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Jubair Ansari, Advocate
For the Opposite Party/s : Mr.Rabindra Kumar, APP.
For the Informant : Mr. Priyesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-09-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Sahebganj P.S. Case No. 72 of 2022 lodged under Sections 147,
148, 149, 302 and 120(B) of the Indian Penal Code read with
sections 25(1-b)a, 26 and 27 of the Arms Act.

As per prosecution, the case has been lodged against
15 known accused persons. The specific allegation against the
present petitioner is that he had fired on Bhola Sahani @ Rajesh
Sahani and thereafter he fell down.

Learned counsel for the petitioner submits that during
investigation the police has submitted final form against the
petitioner but vide order dated 09.05.2022 which is Annexure-2

the court below has taken cognizance on him and issued process. Learned counsel for the petitioner further submits that petitioner is in custody since 05.03.2022 having clean antecedent. He is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the informant vehemently opposes the prayer for bail and submits that in the F.I.R. there is a specific allegation against the present petitioner of firing on Bhola Sahani @ Rajesh Sahani. He further submits that it is a case in which two murders took place, and it is indicated in the F.I.R. that Bhola @ Rajesh Sahani and Mukesh Sahani died.

In the present facts and circumstances of the case and the submissions made above, I am not inclined to grant bail to the petitioner at present.

The petitioner is at liberty to move for bail after one year from the date of framing of charge.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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