

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53510 of 2021**

Arising Out of PS. Case No.-168 Year-2021 Thana- RIGA District- Sitamarhi

Sudhir Kumar @ Sudhir Mahto Son Of Basudeo Mahto Resident Of Village-  
Kusmari, P.S. Riga, District-Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Raju Prasad, Adv.

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      07-04-2022                      Heard learned counsel for the parties.

The petitioner is an accused in connection with Riga  
P.S. Case No.168 of 2021 registered under Sections 394, 302/34  
of the Indian Penal Code and 27 of the Arms Act.

As per the prosecution story, the informant along with  
his brother was going to make payment to the labourers having  
Rs.1,25,000/- in their kitty. Suddenly six named people in three  
motorcycles intercepted them and it is alleged that they started  
firing indiscriminately. The informant and his brother tried to  
escape, but one Ajay Kumar shot him from close range as a  
result whereof he fell down and one co-accused Rajesh Kumar  
snatched the bag and thereafter they fled away.

Learned counsel for the petitioner submits that the  
allegation against the petitioner amongst other is of  
indiscriminate firing and as such he deserves bail as he is in jail



since April, 2020.

Learned counsel for the informant appears in this case and has produced the order and submits that in similar situate case, the bail application of one co-accused Premchand Kumar has already been rejected vide an order dated 09.02.2022 by a co-ordinate bench of this Court in Cr. Misc. No.50239 of 2021. Let the order be kept on record.

In the aforesaid facts, when the bail application of a similar situate co-accused Premchand Kumar already stands rejected, a different view cannot be taken in the matter.

This bail application is accordingly rejected.

**(Rajiv Roy, J)**

Prakash Narayan /-

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