

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1441 of 2022

Arising Out of PS. Case No.-404 Year-2018 Thana- BARARI District- Katihar

Nago Mahto, Son Of Late Kartik Mahto Resident Of Village - Gobrahi
Diyara, P.S.- Kursela, Distt.- Katihar.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-05-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 302, 201, 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 31.05.2021, charge-sheet has been submitted in this case and has antecedent of one case.

The learned counsel for the petitioner submits that the informant alleges that he saw Upendra Mahto, Kariman Mahto and Kanak Lal Mahto firing at his brother, who died. Further Kanak Lal Mahto fired at Aditya Choudhary, but he saved himself by jumping in the river. Further, he witnessed the occurrence as he was tying his boat in the river.



The learned counsel for the petitioner submits that the specific allegation of firing is against Upendra Mahto, Kariman Mahto and Kanak Lal Mahto and as far as this petitioner is concerned, he is not alleged to be the assailant.

Learned A.P.P. opposes the bail application.

Considering the fact that the petitioner is in custody, charge-sheet has been submitted in this case and is not the assailant of the deceased, nor any overt act of firing has been alleged against him, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with S.T. No.200 of 2021 arising out of Barari P. S. Case No.404 of 2018.

The application stands allowed.

(Satyavrat Verma, J)

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