

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2522 of 2023

Arising Out of PS. Case No.-1 Year-2022 Thana- BARAUNI District- Begusarai

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Yogi Mahto @ Jogi Mahto @ Chhotu @ Mamu, S/O Raj Kumar Mahto,
Resident of Village- Simariya Ghat, Lawki Toli, P.S.- Barauni (Chakiya),
District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Perna Anand

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr. Gautam

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in connection with
Barauni P.S. Case no. 01 of 2022 instituted for the offence under
Sections 394 and 397 of the Indian Penal Code and Section 27
of the Arms Act.

As per allegation in the FIR, petitioner has opened fire
as a result of which informant has sustained gun shot injury and
thereafter snatched his motorcycle.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. His
name has been transpired on the basis of confessional statement
of apprehended accused Bipin Kumar, which has no evidentiary
value in the eye of law. Petitioner is languishing in Judicial



custody since 29.01.2022.

The application for bail is opposed by learned APP for the State and submitted that at the instance of the petitioner, stolen motorcycle has been recovered, which was parked near his house. Petitioner is habitual offender as five criminal cases of Similar nature are pending against him.

Having heard the learned counsel for the parties and considering the nature of injury and recovery of stolen motorcycle near his house, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial court is directed to expedite and conclude the trial as early as possible.

(Sunil Kumar Panwar, J)

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