

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31106 of 2023**

Arising Out of PS. Case No.-28 Year-2020 Thana- BALIYA District- Begusarai

AKHILESH MAHTO SON OF GHOGHAL MAHTO @ DHODHO
MAHTO VILLAGE PAHARPUR, PS BALLIA, DISTRICT BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey

For the Opposite Party/s : Mr.Dashrath Mehta

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 24-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case instituted for the offence under Sections 302, 307, 120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner along with others is of firing upon the husband of the informant, due to which he fell down. The others co-accused have also fired on the head and neck of the informant's husband leading to his death. It is further alleged that the informant's cousin father-in-law came to



rescue her, the accused persons also fired upon him, due to which he sustained injury.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to land dispute. He has committed no offence. There is a land dispute between the parties. There is general and omnibus allegation against the petitioner rather specific allegation of firing is against co-accused Nand Kishor Mahto, Pappu Mahto and Arjun Mahto, due to which the informant's husband died. He further submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 11.08.2021 passed in Cr. Misc. No. 37566 of 2021. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 16.02.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned J.M.-



1st Class, Begusarai in connection with Baliya P.S. Case No. 28
of 2020.

(Sunil Kumar Panwar, J)

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