

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30494 of 2022**

Arising Out of PS. Case No.-134 Year-2019 Thana- SONBERSA District- Sitamarhi

JITENDRA MAHTO S/O LATE RAM EKWAL MAHTO R/o village-
Sonbarsa, P.S.- Sonbarsa, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Madhubala Verma

For the Opposite Party/s : Mrs.Suman Kumari Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

8 17-04-2023 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 302/34 of the Indian Penal Code and u/s 27 of Arms Act.

As per the prosecution case, this petitioner along with co-accused, Sushil Mahto indiscriminately fired at the deceased resulting in his death.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is further submitted that the doctor has found single fire arm injury which was communicating each other as wound of entry and wound of exit, therefore, the informant does not appear to be an eye witness of the occurrence. She next submitted that police after investigation submitted final form.



Learned counsel appearing for the State opposes the prayer for anticipatory bail and submits that there is direct and specific allegation against this petitioner and co-accused, Sushil Mahto that they indiscriminately fired at the deceased resulting his death.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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