

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70165 of 2022

Arising Out of PS. Case No.-69 Year-2022 Thana- MEHANDIGANJ District- Patna

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Pramod Mahto @ Pramod Kumar, S/o Lallu Mahto, R/o Mohalla-Loha ka
Pull, P.S.- Mehandiganj, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-05-2023 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The accused/petitioner is named in the FIR and apprehending his arrest in connection with Mehandiganj P.S. Case No.69 of 2022 registered for the offences punishable under Sections 323, 341, 307, 447, 504 and 506 read with 34 of the Indian Penal Code.

The allegation against the petitioner is to open fire upon the informant along with other co-accused persons causing bullet injury in leg of informant, whereas occurrence is alleged to be founded upon neighbourhood enmities.

It is submitted by learned counsel that though the allegation of firing is available against this petitioner as per FIR but, as per re-statement of the injured Ramdev Chauhan, no



allegation of firing is available against this petitioner rather same is available against co-accused Raju Chaudhary. It is submitted that allegation as to cause injury through butt of pistol is available against co-accused Mani Chaudhary, who has already granted anticipatory bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No.45626 of 2022. While concluding argument, it is submitted that occurrence is out of previous enmity with named co-accused Raju Chaudhary and furthermore, petitioner found involved in one more criminal case, where he is on bail.

Learned Additional Public Prosecutor opposes the prayer of bail.

In view of the above-mentioned facts and circumstances and by taking note of the fact that allegation of firing is not available against this petitioner in re-statement of injured, namely Ramdev Chauhan, accordingly, above-named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Patna City, Patna in connection with Mehandiganj P.S. Case No.69 of



2022, subject to the conditions as laid down under Section
438(2) of the CrPC.

(Chandra Shekhar Jha, J.)

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