

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74268 of 2022

Arising Out of PS. Case No.-226 Year-2022 Thana- RIVILGANJ District- Saran

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1. RAM SAGAR SINGH Son of Shivrath Singh Resident of village - Mukreda, P.S.- Rivilganj, District - Saran
 2. Gorakh Mahto Son of Jamadar Mahto Resident of village - Deoria, P.S.- Rivilganj, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-03-2023 At the outset, learned counsel for the petitioners submits that petitioner no. 2 namely Gorakh Mahto has died and as such, this petition, so far as petitioner no. 2 is concerned, has now become infructuous.

Accordingly, in respect of petitioner no. 2, this petition is dismissed as same has become infructuous.

Sole petitioner (i.e. petitioner no.1 Ram Sagar Singh) apprehends his arrest in a case registered for the offence under Sections 341, 323, 427, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per F.I.R., on the alleged date and time of occurrence, while the informant was returning to his house, on the way, all the F.I.R. named accused persons including this petitioner came on two scorpio, armed with rifles and other



arms, and made indiscriminate firing. It is further alleged that accused persons also damaged the motorcycle of the informant.

It is submitted on behalf of petitioner that though, there is allegation of indiscriminate firing, but no one sustained any fire-arm injury. No specific overt act has been alleged against this petitioner. Petitioner claims clean antecedent.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts & circumstances and clean antecedent of petitioner, let the petitioner namely Ram Sagar Singh, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Chapra in connection with Rivilganj P.S. Case No. 226 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This application is, accordingly, disposed of.

(Prabhat Kumar Singh, J)

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