

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77897 of 2023

Arising Out of PS. Case No.-76 Year-2023 Thana- BELDOUR District- Khagaria

AMARJEET MAHTON S/o Agnideo Mahton R/o vill - Bobil, P.S. - Beldaur,
Dist - Khagaria, Bihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per allegation in the FIR, 11 named accused persons including the petitioner and 15-20 unknown persons came with arms and abused. It is opposed by the informant's brother then on the order of accused Hiralal Mahto accused Nawal Yadav fired upon him with intention to kill him which hit on the chest. Accused Hiralal Mahto also fired upon him which passed near his ear then the petitioner also fired upon informant's younger brother which hit on the wall. Accused Indradev Mahto also fired upon the informant's father thereafter all the accused persons made firing indiscriminately but the informant along with his family members



fled away from the place of occurrence.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case due to dispute of road between both the parties. There is vague, general and omnibus allegation against all the accused persons including the petitioner. No one has injured by opening fire by the petitioner. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Petitioner is languishing in judicial custody since 06.09.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Judicial Magistrate-1st Class, Khagaria in connection with Beldaur P.S. Case No. 76 of 2023.

(Sunil Kumar Panwar, J)

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