

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5623 of 2024

Arising Out of PS. Case No.-1360 Year-2022 Thana- KAHALGAON District- Bhagalpur

Mithun Mahto S/O Tarni Mahto R/O Village- Maheshmunda, P.S- Kahalgaon,
District.- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Jha, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 15-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Kahalgaon P.S. Case No. 1360 of 2022, registered for the
offence under Sections 25(1-b)a, 26, 27 & 35 of the Arms Act.

3. As per prosecution case, while informant was at his
house, petitioner and two unknown persons came on a
motorcycle and pointing pistol at his temporal region demanded
extortion of Rs. 3,00,000/- (Three Lacs) and ornaments of his
wife. On denial petitioner fired from his pistol which did not hit
the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent committed no offence and has falsely been



implicated in the present case.

5. However, learned APP for the State strongly opposed the prayer for regular bail.

6. Perused the FIR, bail petition and impugned order dated 21.11.2023 passed by learned Additional Sessions Judge, XVIth, Bhagalpur, it appears that allegation against the petitioner is under Sections 386, 387, 448, 307/34 of Indian Penal Code and under Sections 25(1-b)a, 26, 27, 35 of the Arms Act. He was arrested on spot and he has 14 criminal antecedent as stated in para 3 of the petition all criminal antecedents are serious in nature. In these circumstances, I am not inclined to grant bail to the petitioner.

7. Accordingly, prayer for regular bail of the petitioner is rejected. However, learned trial Court is directed to conclude the trial within a period of one year from the date of receipt of this order.

(Ramesh Chand Malviya, J)

saaurabhkr/-

U		T	
---	--	---	--

