

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17082 of 2024

Arising Out of PS. Case No.-798 Year-2023 Thana- BIHTA District- Patna

Mantu Kumar Son Of Subhash Yadav R/O Vill-Dalelganj, Ps-Bihta, Dist-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shadwal Harsh, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 14-03-2024 1. Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bihta P.S. Case no. 798 of 2023 registered under sections 307, 323 and 341 of the Indian Penal Code and sections 25(1-B)a, 26 and 27 of the Arms Act.

3. As per the prosecution case, the informant states that while checking of vehicles was going on he received information that the petitioner resorted to firing with his country made pistol. The informant reached the place of occurrence where the petitioner made an attempt to escape but was caught and a country made pistol was recovered from his possession.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No such



occurrence has taken place. Though Nitish Kumar was also involved with the occurrence, even the police authorities in course of investigation have raised the question as to why no F.I.R was registered against Nitish Kumar nor was he made an accused. The petitioner is in custody since 5.8.2023 and has no criminal antecedent.

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

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R of the petitioner having resorted to firing and the petitioner having been arrested at the spot with the country made pistol, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

6. Liberty is granted to the petitioner to renew his prayer for bail after five months.

(Partha Sarthy, J)

Harsh/-

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