

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27957 of 2024

Arising Out of PS. Case No.-114 Year-2023 Thana- GARKHA District- Saran

Upendra Mahto, Son of Vishwanath Mahto, Resident of Village - Maiki
Udhyan Tola, P.S. - Garkha, District - Saran At Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Udai Shankar Singh, Adv.
For the Opposite Party/s : Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 19-07-2024 Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Garkha P.S. Case No. 114 of 2023 dated 03.03.2023 registered
for the offences punishable under Sections 399, 402, 324, 307,
337, 353, 34 of the Indian Penal Code and Sections 25(1-B)a,
26, 27 and 35 of the Arms Act.

3. Mr. Udai Shankar Singh, learned counsel for the
petitioner submits that the petitioner was not apprehended at the
spot, petitioner's brother Ravindra Mahto is said to have been
arrested on the spot with the live cartridges and other
incriminating materials who disclosed the name of this
petitioner being involved in the commission of the alleged
occurrence, in fact a partition had taken place in between the



petitioner and his brother Ravindra Mahto in the year 2017 and in this regard, partition deed's copy has been filed as Annexure- '2' and moreover, Ravindra Mahto has been granted bail by a co-ordinate bench of this Court vide order passed in Cr. Misc. No. 41702/2023 and one co-accused Golu Kumar @ Sujay Kumar carrying similar nature of allegation has been granted bail by this bench vide order passed in Cr. Misc. No. 48184/2023. It is further submitted that the petitioner has been languishing in jail since 12.12.2023 and against him, there is criminal antecedent of one case in which he is on bail.

4. Mr. Binod Kumar No. 3, learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Considering the above submissions, this Court is inclined to release the petitioner on bail. Accordingly, let the petitioner named-above 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 the Court concerned in connection with Garkha P.S. Case No. 114 of 2023.

(Shailendra Singh, J)

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