

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41140 of 2024

Arising Out of PS. Case No.-406 Year-2023 Thana- KHAGAUL District- Patna

Sikandar Mahto @ Sikandar Kumar @ Sikandar Singh Son of Biku Singh
R/O Village- Dalluchak, Chargarwa More, P.S.- Khagaul, Distt.- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pintu Kumar Patel

For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the offence punishable under Sections 341, 323, 307, 120(B), 34 of the Indian Penal Code and Section 27 of the Arms Act, later on Section 302 of I.P.C. was added.

3. As per the prosecution case, the F.I.R. named accused persons followed the brother of the informant by motorcycle and started indiscriminate firing upon his brother and his friend, due to which, informant's brother died.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. He submits that there is no eye witness in the present case, only on the basis of suspicion



the petitioner has been made accused in the present case. He further submits that the petitioner is languishing in custody since 05.12.2023. The petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail and submitted that there is specific allegation against the petitioner and co-accused, namely, Bhoma @ Bhobha Kumar of firing upon the deceased.

6. Considering the facts and circumstances of the case and the fact that there is specific overt act against the petitioner, the Court is not inclined to grant regular bail to the petitioner. Accordingly, the prayer of regular bail of the petitioner is hereby rejected in connection with Khagaul P.S. Case No. 406 of 2023.

(Anjani Kumar Sharan, J)

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