

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46177 of 2024

Arising Out of PS. Case No.-149 Year-2023 Thana- BASOPATTI District- Madhubani

Raju Mahto @ Raju Kumar Mahto Son Of Laxmeshwar Mahto @
Lakshmeshwar Mahto Resident Of Village - Basopatti (Bundelkhand), Ward
No. 11, Police Station - Basopatti, District - Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Sah, Advocate
For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection
with Basopatti P.S. Case No. 149 of 2023, lodged on
26.06.2023, under Sections 323/341/324/307/504/506/34 of
the Indian Penal Code and under Section 27 of the Arms Act.

3. As per the prosecution, FIR has been lodged
against seven named accused persons with allegation against
the present petitioner along with others that they have
surrounded the informant and assaulted him. Specific
allegation against the present petitioner is that he has fired



thrice by his pistol and injury has been caused in the leg of the informant.

4. Learned counsel for the petitioner submits that the the petitioner is innocent and has committed no offence. Counsel submits that from the petition itself, it transpires that the land dispute is between the parties. The parties are well known to each other. Counsel further submits that nobody was apprehended from the place of occurrence. Due to enmity name of the petitioner has been inserted by the informant. He further submits antecedent of the petitioner is not clean. There are four criminal cases pending against the petitioner, in which in some cases he is on bail and in some cases he is persuading for bail. He is in custody since 24.04.2024.

5. Learned counsel for the State opposes the prayer for bail and submits that there is specific allegation against the present petitioner to fire on the informant due to which he has sustained injury. When the police reached on the place of occurrence recovery of cartridges have been made. Antecedent of the petitioner is also not clean.

6. Considering the facts and circumstances, this Court is not inclined to grant bail to the petitioner. Hence, the prayer for bail of the petitioner is hereby rejected. However,



liberty is granted to the petitioner that he may renew his
prayer for bail after framing of the charge.

(Dr. Anshuman, J)

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