

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65926 of 2024

Arising Out of PS. Case No.-264 Year-2023 Thana- DANAPUR District- Patna

Chandra Mohan Mahto @ Chunmun Son of Late Shyam Lal Mahto Resident
of Mohalla- Sultanpur, Koiri Tola, P.S- Danapur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-09-2024

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Sessions Trial no.409 of 2023, arising out of Danapur P.S Case no.264 of 2023 registered under sections 307 and 326 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, it is stated by the informant that while a *barat* party was passing by, someone in the *barat* threw a stone which hit the petitioner on which the petitioner on false suspicion brought out a country made pistol and shot the informant's son seriously injuring him.

4. It is submitted by learned counsel for the petitioner that the earlier prayer for bail of the petitioner was rejected vide order dated 24.1.2024 (Annexure-P/1) passed in Cr. Misc. no.



1461 of 2024 giving liberty to the petitioner to renew his prayer for bail after six months or after framing of charge, whichever is later. In reference to the statement made in paragraph no.11 of the petition, it is submitted that charge has been framed against the petitioner in the learned trial Court on 16.2.2024. The petitioner is in custody since 27.2.2023.

5. Learned counsel for the petitioner further produces the certified copy of the order-sheet of the learned trial Court in evidence of the fact that charge has been framed in the learned trial Court. The same is taken on record.

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

7. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, liberty granted to the petitioner by the earlier order of rejection dated 24.1.2024, charge having been framed in the learned trial Court on 16.2.2024 and the petitioner having remained in custody for more than 1 year 6 months since 27.2.2023, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no.409 of 2023 (arising out of Danapur P.S Case no.264 of 2023) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned Additional District & Sessions
Judge-VII, Danapur, District-Patna.

(Partha Sarthy, J)

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