

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75306 of 2024

Arising Out of PS. Case No.-472 Year-2023 Thana- SAHPUR District- Bhojpur

Sakaldayal Mahto @ Bhutela @ Sakal Dayal Singh @ Bhutela Singh @
Sakal Dayala Singh @ Bhutala Son of Late Nanhak Singh Resident of Village
- Birpur, P.S. - Shahpur, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Diwakar, Adv Mr. Deepak Kumar, Adv Ms. Priya Kumari, Adv Mr. Sudhakar Ranjan, Adv Mr. Sonu Kumar, Adv
For the Opposite Party/s	:	Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-01-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 25(1-b)a, 26 and 35 of the
Arms Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of two cases, it is further submitted
that one of the cases was instituted with respect to the same
occurrence for which the instant FIR has been instituted.

4. It is next submitted that from perusal of the
allegation as alleged in the FIR, it would manifest that no
specific allegation is alleged against the petitioner, rather in sum



and substance, the allegation is that the accused persons including the petitioner, on account of dispute relating to land, were indulging in firing and accordingly the *Chowkidar* informed the concerned police station about the occurrence that in firing one person had received an injury. It is further submitted that the police came when the accused persons fled away and the injured was taken to the hospital. It is further submitted that for the same occurrence, Shahpur PS Case No. 473 of 2023 has been instituted, wherein it has been specifically alleged that this petitioner fired causing injury to Gayanand Singh. It is further submitted that petitioner in connection with Shahpur PS Case No. 473 of 2023 had moved this Court seeking bail by filing Cr. Misc No. 73354 of 2024 and the same was rejected by an order dated 17-1-2025. The learned counsel thus submits that for the same occurrence two FIRs have been instituted; one by the informant of the case and the present one by the S.H.O.

5. Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the submission made by learned counsel for the petitioner, let the petitioner above named be released on bail 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 trial court where the case is pending/successor court in connection with Shahpur P.S. Case No. 472 of 2023.

(Satyavrat Verma, J)

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