

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72564 of 2024

Arising Out of PS. Case No.-75 Year-2024 Thana- HASANPUR District- Samastipur

Surendra Mahato @ Surendra Kumar Son of Arvind Mahto Resident of
Village- Hoha, P.s- Hasanpura, District- Samstipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Suraj Kumar, Advocate
For the Opposite Party/s	:	Mr.Syed Ehteshamuddin, APP
For the Informant	:	Mr. Raja Ram Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 21-01-2025 Heard learned counsel for the petitioner, Informant
and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 109, and 3(5) of the B.N.S. and Section 27 of the Arms Act.

3. The case of the prosecution is that on 01.07.2024, the son of the informant, namely, Ramlal was going to Fuhiya from Goha by tractor upon which bricks was loaded. In the morning at about 9:30 A.M., when the informant was at village- Goha in Mango Orchard, he received information that his son murdered at village-Gijri. He reached there and seen that some persons were going to Government Hospital, Hasanpur. It is further alleged that son of the informant also told the informant



that this petitioner has fired at him. Injured has also given statement under Section 161 of the Cr.P.C. at paragraph-55 of the case diary that he has given Rs. 50,000/- to the petitioner who happens to be his brother-in-law and he was demanding the same. On this, the petitioner fired at him.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. From perusal of the injury report, it is clear that son of the informant has received a gun shot injury at his shoulder and the nature of injury is grievous in nature though the finding of the trial Court is that the injury is grievous but there is no repetition of blow. It is further submitted that the petitioner and the informant are neighbour and he is in judicial custody since 05.07.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Hasanpur P.S. Case No. 75 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned



Additional Chief Judicial Magistrate -IV, Samastipur.

(Ashok Kumar Pandey, J)

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