

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89861 of 2024

Arising Out of PS. Case No.-617 Year-2023 Thana- ROSERA District- Samastipur

Vikash Kumar @ Vikash Kuma @ Vikash Mahto Son of Bauyelal Mahto R/o
Village Baghopur P.S Rosera Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Kumar, Adv.
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-03-2025 Heard the parties.

2. The petitioner is in custody in connection with Rosera P.S. Case No. 617 of 2023 instituted under Sections 147, 148, 149, 323, 307, 379, 504, 506 of the Indian Penal Code and 27 of the Arms Act lodged on 17.12.2023 by the informant, Ramshish Mahto.

3. As per the prosecution story, the informant alleged that the three brothers had partitioned their land decades ago. However, one Bauye Lal Mahto who is one of the brother, executed deed in favour of his son despite the fact that in the partition, it was allotted to him. The allegation is that to grab the said land, went to to the place concerned and thereafter, at the behest of said Bauye Lal Mahto, another co-accused, Vikash Kumar (petitioner herein) as also another son, Sheo Shankar



opened fire which hit the informant as also his son.
Accordingly, the FIR.

4. Learned counsel for the petitioners submit that there is admitted land dispute between the parties and both are agnates and only to implicate he has been named.

5. Learned APP, Mr. Bharat Bhushan, on the other hand, opposes the prayer submitting that perusal of the FIR would show that allegation against this petitioner is of opening fire which hit the waist of the informant causing injury to him.

6. Taking into the allegation that has come against the petitioner that he opened fire causing grievous injury to the injured as reflects from the order of learned Sessions Judge, for the present, this Court is not inclined to grant any relief to the petitioner. Accordingly, the application for bail stands rejected.

(Rajiv Roy, J)

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