

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5334 of 2015

Arising Out of PS.Case No. -55 Year- 2014 Thana -EKMA District- SARAN

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1. Parshuram Mahto Son of Late Ramdeo Mahto Resident of Village -
Tarbaniya, P.S- Ekma , Distt- Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Renu Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 11-03-2015

Heard both sides.

The petitioner seeks bail in Ekma P.S. Case No. 55 of 2014 registered under section 302 of the Indian Penal Code. The mother of the deceased found the dead body of his son in the field of Chatthu Mahto. During the course of investigation one Dhananjay Kumar was examined under section 164 Cr.P.C. and he disclosed that Nitesh had love with Manisha the daughter of the petitioner and they were talking but in the meantime petitioner came there and assaulted Nitesh as a result he died.

Learned counsel for the petitioner submits that Manisha lodged a case under section 376 of the Indian Penal Code against Arvind and Dhananjay. She disclosed that Arvind and Dhananjay Kumar committed rape with her but when Nitesh came

there to protect Manisha, Arvind and Dhananjay Kumar assaulted him. Except the statement of Dhananjay there is no material to show the involvement of the petitioner. From perusal of the record it appears that the deceased had gone to see orchestra and her dead body was found. The deceased had love affairs with Mianish the daughter of the petitioner. Dhananjay Kumar has disclosed the fact that it was the petitioner who assaulted Nitesh when he saw the deceased talking with his daughter and consequently he died. Later on the daughter of the petitioner also filed a complaint case after much delay making allegation of rape against Dhananjay.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly the same is rejected. The trial court is directed to expedite the trial and conclude the same within one year from the date of receipt/production of a copy of this order.

(Prabhat Kumar Jha, J)

M.Rahman/-

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