

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6823 of 2015

Arising Out of PS.Case No. -78 Year- 2014 Thana -DEORIYA District- MUZAFFARPUR

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1. Raju Mahto S/o Police Mahto R/o village - Sirisiya Madhopur, P.S.
Baruraj, District – Muzaffarpur..... Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Sangita Sharma (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 21-05-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Deoria P.S. Case No. 78 of 2014 registered for the offences
punishable under Sections 302/34 of the Indian Penal Code.

Due to property dispute going on between the sister of
the informant and her pattidars, all the FIR named accused persons
including the petitioner killed his sister by strangulating with a
napkin and threw the dead body by the side of date orchard and in
the evening all the accused persons were taking wood for
cremation of the deceased but hearing the sound of someone they
ran away.

Submission is of false implication and that there is no
specific allegation. Witnesses during investigation have only

supported the factum of killing of deceased but none of the witnesses have seen the occurrence and only on suspicion and land dispute the petitioner has been implicated. As a matter of fact, there was illicit relation between Jitendra Mahto and deceased and the petitioner has got no concern to which the learned APP opposes by submitting that the petitioner is named in the FIR and the witnesses have supported the same and in post mortem report also it is reported that the deceased died due to asphyxia due to pressure over neck and the allegations have been found to be true against the petitioner also.

In the facts and circumstances stated above, considering that the name of the petitioner has been taken by some of the witnesses regarding his presence in committing the crime, this Court is not persuaded to grant the privilege of pre-arrest bail to the petitioner, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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