

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43263 of 2015

Arising Out of PS.Case No. -96 Year- 2015 Thana -LAURIYA District-
WESTCHAMPARAN(BETTIAH)

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Dinesh Mahato, S/O Ram Nath Mahato, Resident of Village- Jawahirpur,
P.S.- Lauriya, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Nirmal Kumar Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-11-2015 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under Sections 147, 148, 149, 341, 342, 323, 324, 307 and 302 of the Indian Penal Code.

Allegation against the petitioner is that he along with other accused persons assaulted brother of the informant and thereafter informant's brother died.

It has been submitted on behalf of the petitioner that he has got no criminal antecedent. He is in custody since 5.6.2015. Chargesheet has been submitted in the present case. There is no allegation of tampering of evidence against the petitioner. Petitioner has falsely been implicated in the present case. There is no eye witness to the alleged occurrence. No specific injury has been attributed against the petitioner. There is admitted land dispute between the parties.

On behalf of the State and the informant, it is submitted that the petitioner is named in the F.I.R. and the alleged

occurrence is said to have taken place in the Aangan of the petitioner. The said fact is supported in para-11 of the case diary.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner, same is rejected.

Any how, if so advised, petitioner may renew his prayer for bail after completion of one year in custody from the date of custody, i.e. , 5.6.2015.

(Sudhir Singh, J)

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