

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32806 of 2015

Arising Out of PS.Case No. -322 Year- 2014 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

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1. GUDDU @ SUMESHWER MAHTO @ SUMESAR MAHTO Son of
Binod Mahto Resident of village Maniyari ,P.s Shikarpur, District West
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Ram Anurag Singh(App)

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

4 23-11-2015 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 302 and 120 (B)/34 of the I.P.C

Allegedly, the petitioner and other co-accused came
and co-accused Asha Devi dashed the cycle of the informant's
father resulting he fell down and then the petitioner and co-
accused Ghuran Mahto assaulted the father of the informant with
iron rod on his head causing his death and co-accused Sumesh
Kumar Mahto was instigating to kill.

Submission is of false implication and that there is no
specific allegation against the petitioner. Co-accused Binod Mahto

has raised voice relating to misappropriation of government money under the scheme of MANEREGA and due to that the petitioner and others have been implicated in this case. Other co-accused have been allowed bail. Charge sheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. opposes prayer for bail by submitting that against the petitioner there is specific allegation for assaulting with iron rod on the head of father of the informant and the doctor has also found three ante-mortem injuries on the person of the deceased.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner that he and co-accused Ghuran Mahto caused injury on the head of the deceased and three injuries have been found on the person of the deceased and as such this Court is not inclined to enlarge the petitioner on bail and accordingly his such prayer stands rejected in connection with Shikarpur P.S. Case No. 322 of 2014 pending in the court of C.J.M. Bettiah, West Champaran.

(Jitendra Mohan Sharma, J)

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