

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51477 of 2015

- =====
1. Rajendra Mahto, son of Late Ram Chandra Mahto.
 2. Rakesh Mahto, son of Rajendra Mahto, Both are resident of Village-Fatehpur, P.S. Barauli, District- Gopalganj.

.... 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. T.P.Mandal (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 10-02-2016 Heard the learned counsel for the petitioners as well as the learned A.P.P for the State.

The petitioners seek bail in a case for the offences punishable under sections 341, 323, 307 and 34 of the I.P.C

Allegedly, the petitioners assaulted Arjun Mahto, the brother of the informant, with iron rod and lathi who during treatment died at P.M.C.H.

Submission is of false implication due to admitted land dispute, there was no intention to commit murder, how the injured was brought from Gorakhpur to P.M.C.H. is not explained and further for the occurrence of 15.04.2015 the informant submitted written statement on 17.04.2015, the petitioners are suffering in custody since 28.05.2015 and as such they deserve

sympathetic consideration, to which the learned A.P.P. opposes by submitting that the petitioners are the assailants.

In the facts and circumstances as stated above, considering that the petitioners are the assailants and as such this Court is not inclined to enlarge the petitioners on bail and accordingly their such prayer stands rejected in connection with Barauli P.S. Case No. 56 of 2015 pending in the court of C.J.M. Gopalganj.

However, considering detention of the petitioners let the trial be expedited.

(Jitendra Mohan Sharma, J)

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