

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.6012 of 2016**

Arising Out of PS.Case No. -263 Year- 2015 Thana -ALAMGANJ District- PATNA

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1. Sujay Mahto Son of Late Fakita Mahto, resident of Mohalla- Bari Patan  
Devi Colony, P.S. Alamganj, District- Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pramod Kumar

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

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

2      22-02-2016                      Heard learned counsel for the petitioner and learned  
A.P.P. representing the State.

The petitioner seeks bail in connection with  
Alamganj P.S. Case No. 263 of 2015 registered for the offence  
punishable under Section 302 of the Indian Penal Code.

Allegedly, the petitioner assaulted Vijay Mahto the  
husband of the informant with brick on his head causing his death.

Submission is of false implication and that the  
petitioner is the brother of the deceased, there was no intention to  
commit murder, the husband of the informant died due to  
intoxication and he received injury due to fall, there was no  
motive to commit the crime and the petitioner is suffering in  
custody since 18.10.2015, deserves sympathetic consideration to

which learned A.P.P. seriously opposes by submitting that the petitioner is the assailant.

In the facts and circumstances stated above, at present this Court is not inclined to enlarge the petitioner on bail and accordingly his prayer stands rejected.

However, petitioner may renew his prayer for bail after examination of the informant during trial.

**(Jitendra Mohan Sharma, J)**

siddharth/-

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