

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49134 of 2018

Arising Out of PS. Case No.-572 Year-2016 Thana- LAKHISARAI District- Lakhisarai

Lakhan Mahto @ Ram Lakhan Mahto, S/o Late Jagdish Mahto, Resident of
Village- Damodarpur, P.S.- Lakhisarai, District- Lakhisarai.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Adv. Mr. Saket Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Sanjay Kumar Singh, A.P.P. Mr. Narsing Tanti, Adv.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 18-08-2018 Heard Sri Krishna Prasad Singh, learned Senior Counsel, assisted by Sri Saket Kumar Singh, learned counsel for the petitioner , Sri Sanjay Kumar Singh, learned Addl. Public Prosecutor as well as Sri Narsing Tanti, learned counsel for the informant.

The sole petitioner has prayed for grant of bail in Lakhisarai P.S. Case No.572 of 2016 registered for the offence under Sections 307, 379, 354, 323, 325, 504, 147, 148, 149 of the Indian Penal Code and subsequently, Section 302 of the Indian Penal Code was added.

It was submitted by learned Senior counsel appearing on behalf of the petitioner that the petitioner has falsely been implicated in the present case along with other sons and there



was case and counter case in between the parties and, as such, he requests for passing order to enlarge the petitioner on bail.

Learned Addl. Public Prosecutor as well as Sri Narsing Tanti, learned counsel for the informant have opposed the prayer for grant of bail. Sri Narsing Tanti, learned counsel for the informant submits that the petitioner is already convict in a case for the offence under Section 395 of the Indian Penal Code. He further submits that in the F.I.R. itself, there is specific accusation against the petitioner that he gave iron rod blow on the head of the deceased.

Considering the specific accusation against the petitioner as well as the fact that the petitioner is convict, there is no reason to extend the privilege of bail to the petitioner.

Accordingly, the prayer for bail of the petitioner stands dismissed.

(Rakesh Kumar, J.)

nawalkrs/-

U		T	
---	--	---	--

