

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29695 of 2019

Arising Out of PS. Case No.-29 Year-2018 Thana- BIRUPUR SAHAYAK District-
Lakhisarai

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1. SURESH MAHTO Son of Late Ram Swaroop Mahto Resident of Village-
Pali, Police Station- Birupur, District- Lakhisarai.
 2. Guleshwar Mahto Son of Late Ram Swaroop Mahto Resident of Village-
Pali, Police Station- Birupur, District- Lakhisarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabi Bhushan

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 09-07-2019 Heard learned counsels for the petitioners and
the State.

Petitioners seek bail in connection with Birupur
P.S. Case No. 29 of 2018 registered for the offence punishable
under sections 147, 149, 323, 504, 308 of the Indian Penal
Code to which section 302 IPC was added later on.

Learned counsel appearing for the petitioner
submits that petitioners have been falsely implicated in this
case. There is no specific allegation of assaulting the
deceased against these petitioners. The specific allegation of
assault is attributed against the co-accused Sajan Mahto.

Learned Addl. P.P. appearing for the State



opposes the prayer for bail and submits that there is allegation of assault against this petitioner alongwith other accused persons which supported by the injuries sustained by the deceased.

Considering the nature of allegations levelled, the materials available on record and the submissions advanced on behalf of the parties, this Court does not find it to be a fit case for grant of bail to the petitioner. The same is, therefore, rejected.

However, petitioner may renew his prayer for bail after framing of charge.

(Arvind Srivastava, J)

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