

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41331 of 2019**

Arising Out of PS. Case No.-16 Year-2014 Thana- BITHAN BAZAR District- Samastipur

JITENDRA KUMAR MAHTO @ JITENDRA MAHTO S/o Deo Narayan
Mahto Resident of Village- Salha Chandan, P.S.- Bithan, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhimanyu Sharma

For the Opposite Party/s : Mr.Dashrath Mehta

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

2 04-07-2019 This application, for grant of anticipatory bail,

arises out of Bithan P.S. Case No. 16/2014, disclosing offences

under Sections 302, 385/34 of the Indian Penal Code.

Allegation is of causing murder of the son of the
informant and it is said that son of the informant had disclosed
the name of petitioner before his death and further he is also
named in the F.I.R and the case is of the year 2014.

Submission of learned counsel for the petitioner is
that he has falsely been made accused in this case and as a
matter of fact, at the time of occurrence, the petitioner was in
custody in Chhatisgarh and further in his restatement, the
informant has not disclosed the fact that his son before his death
has named the petitioner.

Heard learned A.P.P. also.



Having heard both sides, considering the fact that petitioner is named in the F.I.R., and there is allegation and there is allegation against him of firing on the son of informant and further the case is of the year 2014, I am not inclined to grant the privilege of anticipatory bail to the petitioner, however, the petitioner, if so, desire may surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

This application is, accordingly, dismissed.

(Vinod Kumar Sinha, J)

sunilkumar/-

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

