

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4971 of 2020

Arising Out of PS. Case No.-67 Year-2019 Thana- BITHAN BAZAR District- Samastipur

RAJESH KUMAR @ LALO MAHTO @ RAJESH KUMAR MAHTO S/o
Late Kohai Mahto Resident of Village- Telani, P.S.- Bithan, Distt- Samastipur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Randhir Kumar No.1

For the Opposite Party/s : Ms.Meena Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 28-05-2020 Heard Mr. Randhir Kumar No. 1, learned counsel for
the petitioner and Ms. Meena Singh, learned APP for the State.

The petitioner, who is in custody since 25.09.2019 seeks bail in connection with Sessions Trial No. 631/2019 arising out of Bithan P.S. Case No 67/2019 dated 23.07.2019 registered for the offences under Sections 147, 148, 149, 323, 324, 341, 342, 504, 506, 302, 448/34 of the Indian Penal Code and Section 27 of the Arms Act. The petitioner has one more case of similar nature to his credit, which fact stands stated in paragraph -3 of the bail petition.

The allegation in the present case against the petitioner is of having dragged the deceased out of the house when one Rishi Mahto is said to have shot him dead.

Learned counsel for the petitioner has submitted that



from the reading of the First Information Report itself, it would appear that petitioner has falsely been implicated in this case because of long standing enmity. He has further submitted that the deceased has received only one gun shot injury, which is attributable to co-accused Rishi Mahto. He, therefore, seeks bail on the ground of false implication of the petitioner because of prior enmity.

For the nature of accusation as mentioned in the First Information Report, I am not inclined to grant bail to the petitioner for the present.

The petitioner may renew his prayer for bail after a reasonable period of time.

This application stands rejected with the aforesaid observation.

(Ashutosh Kumar, J)

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