

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8441 of 2021**

Arising Out of PS. Case No.-107 Year-2019 Thana- KANHAULI District- Sitamarhi

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VIJAY MAHTO SON OF TILDHARI MAHTO RESIDENT OF VILL.-
ARARIA, P.S.- KANHAULI, DIST.- SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Virendra Kumar, Adv.
For the Informant	:	Mr. Ashhar Mustafa, Adv.
For the State	:	Mr. Manoj Kumar no.1, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 10-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per allegations in the F.I.R., the three named accused persons including the petitioner herein as also 2-3 others fired and killed the son of the informant.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The deceased himself was a veteran criminal and has died in a manner other than what has been narrated in the F.I.R. The reason for false implication of the petitioner is a dispute as the



deceased owed him money and for this reason, he has been falsely implicated. There is no eye witness to the occurrence. The petitioner is in custody since 1.7.2020 and investigation in the case has concluded.

Heard learned A.P.P. for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that not only the petitioner is named in the F.I.R. but is one of the assailants of the deceased.

Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R. wherein the petitioner has been named as one of the assailants of the deceased, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

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