

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28982 of 2021

Arising Out of PS. Case No.-760 Year-2019 Thana- TURKAULIYA District- East
Champaran

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AJIT MAHTO S/O KRIT MAHTO R/o village- Vritiya Locknathpur, P.S.-
Turkauliya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vitesh Kumar Singh, Adv.
For the Opposite Party/s : APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 03-01-2022 Heard learned counsel for the parties.

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.

As per the prosecution case, four named accused persons including the petitioner herein are stated to have come variously armed. The petitioner is stated to have given a *lathi* blow in the stomach of the father of the informant as a result of which he fell down unconscious and subsequently died.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The allegations are general and omnibus in nature. There is an unexplained delay in lodging of the F.I.R. In reference to the



postmortem report it is submitted that the injury attributed to the petitioner cannot be said to be the cause of death. The petitioner is in custody since 3.6.2020 and has no criminal antecedent. Chargesheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. for the State who submits that there is direct allegation against this petitioner which is supported by the postmortem report.

Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R. against the petitioner, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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