

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29715 of 2021

Arising Out of PS. Case No.-54 Year-2020 Thana- VIDYAPATINAGAR District- Samastipur

VINOD MAHTO S/O LATE LALO MAHTO RESIDENT OF VILLAGE-
SHERPUR, POLICE STATION- VIDYAPATINAGAR, DISTRICT
SAMASTIPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr. Ajit Kumar, APP.

Mr. SURYA NARAYAN ROY

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 21-02-2022 Heard the parties.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner, who is in custody since 24.11.2020,
seeks regular bail in connection with Vidyapatinagar P.S. Case
No. 54 of 2020 for the offence punishable under Sections 307,
323, 341 and 504/34 of the Indian Penal Code and later on
Section 302/34 was added.

The allegation against the petitioner in the F.I.R. is



that the petitioner is the order giver and he provoked the co-accused Deepak Mahto to kill the husband of the informant Satishchandra Tiwary. Co-accused Dipak Mahto assaulted on the eye and nose of the husband of the informant by means of iron rod and also pushed him and he fell down, as a result of which he sustained injury on his head and in course of treatment he died.

Considering the direct allegation against the petitioner in the F.I.R. by the wife of the deceased who is the informant of this case and is also a witness who has seen the alleged incidence with her own eye which cannot be disbelieved, I am not inclined to enlarge the petitioner on bail.

Accordingly, the present bail application is rejected.

The trial court is directed to conclude the trial well within a period of twelve months.

If no substantial progress takes place in the trial within the aforesaid period, the petitioner, if so advised, may renew his prayer for bail.

(Purnendu Singh, J)

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