

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38999 of 2022**

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

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Ajit Mahto Son of Sri Krit Mahto R/O Village- Vrititya 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. Prateek Tandon, Adv.  
For the Opposite Party/s : Mr. Rajendra Singh, Adv.

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

2      03-08-2022                      Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in a  
case registered under sections 302 and 34 of the Indian Penal  
Code.

As per the prosecution case, 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 earlier application for bail of the petitioner was rejected  
vide order dated 03.01.2022 (Annexure-1) passed in Cr. Misc.  
no. 28982 of 2021. The petitioner has been falsely implicated in  
the case for oblique reasons. There is a delay of three days in



lodging of the FIR. The cause of death in the postmortem report is said to be cardiopulmonary arrest followed by above mentioned chest injuries. The petitioner is in custody since 3.6.2020 and has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner and the petitioner having remained in custody for more than 2 years, the Court directs the petitioner to be enlarged on bail in connection with Turkauliya P.S. Case no. 760 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran.

**(Partha Sarthy, J)**

Bibhash/-

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