

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10560 of 2021

Arising Out of PS. Case No.-66 Year-2018 Thana- BIBHUTIPUR District- Samastipur

SAHDEV MAHTO SON OF BACCHU MAHTO RESIDENT OF VILLAGE
- ROTGANNA, POLICE STATION - BIBHUTIPUR, DISTRICT -
SAMASTIPUR

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. VISHNU DEV MAHTO SON OF LATE MISRI MAHTO RESIDENT OF
VILLAGE - ROTGANNA, POLICE STATION - BIBHUTIPUR,
DISTRICT - SAMASTIPUR

... .. Opposite Party/s

Appearance :

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

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 28-04-2022 Heard the parties.

The case is being taken up from the defect side.

Learned counsel for the petitioner is directed to
submit the original petition along with attested affidavits and
also remove the defects pointed out by the Registry within two
weeks from today.

Learned counsel for the petitioner submits that the
petitioner deserves to be discharged in a case where he has been
made an accused under Section 302, 201 of the IPC. Learned
counsel further submits that there is no sufficient evidence to
link the petitioner to the murder of the deceased.



An FIR had been lodged stating that dead body of grandson of the informant, namely, Suman Kumar was found in the river and it was stated that unknown persons had murdered him and thrown into the river whereupon investigation was conducted and the petitioner was made accused.

Trial is going on. At this stage, it would not be appropriate to make any observation either in favour or against the accused-petitioner and it is left best for adjudication by the concerned District Judge to conclude the trial expeditiously.

The petition is accordingly dismissed at this stage.

(Sanjeev Prakash Sharma, J)

shahzad/-

U		T	
---	--	---	--

