

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 56736 of 2022

Arising Out of PS. Case No.-100 Year-2022 Thana- GHOSWARI District- Patna

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Bikash Kumar, aged about 28 years, Male Son of Ram Naresh Mahto,
Resident of Village- Ghoswari, P.S.- Ghoswari, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 23-12-2022

The matter has been heard through video conferencing.

2. Heard Mr. Ashok Kumar Kashyap, learned counsel
for the petitioner and Mr. Bharat Lal, learned Additional Public
Prosecutor (hereinafter referred to as the ‘APP’) for the State.

3. The petitioner who is in custody seeks bail in
connection with Ghoswari PS Case No.100 of 2022 dated
07.07.2022 instituted under Sections 341, 323, 324, 326, 307 and
504/34 of the Indian Penal Code.

4. The allegation against the petitioner is that he had
given knife to the co-accused by which the co-accused had
inflicted knife blow on the son of the informant leading to his
death.



5. Learned counsel for the petitioner submitted that he has been falsely implicated and the only allegation is that he provided the knife to the co-accused Ram Naresh Mahto, who had inflicted the blow. It was submitted that the petitioner having no criminal antecedent is in custody since 07.07.2022.

6. Learned APP submitted that the petitioner was the person who brought the knife and gave it to the co-accused who in turn inflicted the blow in the abdomen of the son of the informant and thus clearly he had an active role in the crime.

7. Having considered the submissions of learned counsel for the parties and taking into account the fact that as per the allegation, it is the petitioner who gave the knife to the co-accused who in turn inflicted a blow from the same in the stomach of the son of the informant, the Court is not inclined to enlarge the petitioner on bail.

8. Accordingly, the application stands dismissed.

9. Let the trial be expedited.

(Ahsanuddin Amanullah, J)

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