

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71621 of 2021

Arising Out of PS. Case No.-76 Year-2021 Thana- PARSAUNI District- Sitamarhi

1. RADHEY MAHTO @ RADHEY SHYAM MAHTO Son of Channar Mahto Resident of Village- Madanpur Koiri Tola, Ward No.11, P.S.- Persauni, District- Sitamarhi.
2. Chulbul Mahto @ Ram Sevak Mahto Son of Ganesh Mahto Resident of Village- Madanpur Koiri Tola Ward No.11, P.S.- Persauni, District- Sitamarhi.
3. Raghubir Mahto Son of Channar Mahto Resident of Village- Madanpur Koiri Tola, Ward No.11, P.S.- Persauni, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs.Madhubala Verma
For the Opposite Party/s	:	Mr.Satyadeo Singh Yadav
		Mr. Ayush Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 26-04-2022 Heard learned counsel for the petitioners, the State and the informant.

Petitioners seek regular bail in a case registered for the offence punishable under Section 302 and some other allied Sections of the Indian Penal Code.

As per the prosecution case, these petitioners along with other FIR named accused persons assaulted the father of informant with stick and Farsa as a result of which he died.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in



the case. There is land dispute between the parties. No specific overt act has been alleged against these petitioners and allegation of assault is general and omnibus. Petitioners claim clean antecedent and are in custody since 02.06.2021 and investigation in this case is complete.

Learned counsel appearing for the State and the informant vehemently opposed the prayer for bail and submits that there is direct and specific allegation against these petitioners that they along with other FIR named accused persons assaulted the father of informant with stick and farsa as a result of which he died. It is further submitted that charge has already been framed in this case and six witnesses have already been examined.

Considering the nature of accusation, gravity of the offence and progress of the trial, I am not inclined to enlarge the petitioners on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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