

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16855 of 2023

Arising Out of PS. Case No.-368 Year-2022 Thana- SUPPI District- Sitamarhi

Umesh Mahto @ Umesh Kumar Son Of Jokhan Mahto R/O Village- Gularia,
Ward No.1, P.S.- Suppi, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Syed Mojibur Rahman

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 11-05-2023

Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Suppi P.S Case No. 368 of 2022 dated 03.11.2022 registered for the offence punishable under sections 302 and 120B read with 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the petitioner and the co-accused persons are alleged to have committed murder of the informant's son under conspiracy while the deceased went outside of his house with the petitioner and other co-accused



persons.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Learned counsel further submitted that it is a case of last seen theory. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 04.11.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that it is the petitioner and the co-accused persons who were seen with the deceased lastly and the dead body of the deceased was found the next day.

Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, I am not inclined to enlarge this petitioner above-named on bail.

Learned Trial Court is directed to expedite the trial and conclude the same at the earliest.

The bail petition stands rejected.

(Chandra Prakash Singh, J)

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