

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33540 of 2022

Arising Out of PS. Case No.-243 Year-2020 Thana- PAHARPUR District- East Champaran

RAMESH MAHTO S/o Belas Mahto R/o village- Siswan Noneya Tola, P.S.-
Paharpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 17-01-2023 Let the defect(s), as pointed out by the office,

be removed within a period of four weeks from today.

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

Learned counsel for the petitioner is permitted

to make necessary correction in Para 1 of the bail petition.

The petitioner seeks bail in connection with

Session Trial No. 101/2022 arising out of Paharpur P.S.

Case No. 243 of 2020 registered for the offences punishable

under Sections 302/201/34 of the Indian Penal Code.

As per prosecution case, the petitioner is

alleged to have illicit relation with her own bhabhi and

victim made objection, upon the same the petitioner and



others committed murder of the informant's sister by cutting her neck.

Learned counsel for the petitioner submits that petitioner is in custody since 03.07.2021. Petitioner bears no criminal antecedent. Learned counsel further submits that petitioner is quite innocent and has committed no offence as alleged in the F.I.R. Petitioner is falsely implicated in this case as he is the husband of the deceased. The dead body was disposed off in presence of the informant and no grievance has been raised as alleged in the F.I.R. on the relevant time.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner and submits that the petitioner is the husband of the deceased and the allegation levelled against the petitioner that there is illicit relation with his own bhabhi and motive behind the occurrence cannot be ruled out and on the protest of the same the alleged occurrence has been committed. Learned counsel further submits that in para 4 and 5 of the case diary, same is also supported by other witnesses like Prakash Mukhia and Arjun Mahto.



Considering the facts and circumstances of the case, nature of allegation levelled against the petitioner as well as materials available on record, I am not inclined to grant bail to the present petitioner. Accordingly, prayer for bail of the present petitioner stands rejected.

However, if trial is not concluded within six months from the date of receipt of this order, the petitioner may renew his prayer for bail.

(Alok Kumar Pandey, J)

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