

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46789 of 2023

Arising Out of PS. Case No.-341 Year-2016 Thana- DARBHANGA SADAR District-
Darbhanga

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RAMBHAGAT MAHTO SON OF RATI MAHTO RESIDENT OF
MOHALLA / VILLAGE - MARUKIYA, P.S. - ANDHRATHARHI,
DISTRICT - MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kedar Jha, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 11-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sadar P.S. Case no.341 of 2016 registered under sections 302, 366A, and 120B of the Indian Penal Code.

3. As per the prosecution case, the informant states that the petitioner who happens to be the brother of his daughter-in-law had come to stay with them. On the day of occurrence ie 3.9.2015, his daughter disappeared. As per the telephonic talk with her, she gave information about the petitioner having committed rape on her and ultimately she was done to death.

4. Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the case. No reason has been given as to why no complaint etc. was registered on the implicating information having been received by the informant on telephone from his daughter. The petitioner was subsequently implicated in the case. He is in custody since 14.10.2022 and chargesheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State who referring to the report received from the learned trial court submits that there is reference of Sessions Trial no.21 of 2023 being pending against this petitioner.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner together with the petitioner having absconded from 2.9.2016 till 14.10.2022, the Court is not inclined to enlarge the petitioner on bail for the present.

7. Liberty is granted to the petitioner to renew his prayer for bail after six months.

(Partha Sarthy, J)

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