

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50691 of 2023

Arising Out of PS. Case No.-97 Year-2021 Thana- BIND District- Nalanda

=====

SUNIL MAHTO SON OF LATE SHIVNANDAN MAHTO RESIDENT OF
VILLAGE- NIGRAIN, PS- BIND, DISTT- NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Raj Kishor Prasad, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-08-2023 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The present petition is by way of second attempt at the behest of the petitioner for grant of regular bail in connection with Bind P.S. Case No.97 of 2021, registered for the offences under Sections 302 and 34 of the Indian Penal Code, inasmuch as the earlier petition, filed by the petitioner for grant of regular bail alongwith one another co-accused person was rejected by this Court by an order dated 03.01.2023, passed in Cr.Misc. No.28015 of 2022.

The case of the prosecution, according to the informant is that on 15.07.2021 at about 9 pm, the husband of the informant had gone to his land near Burhwa Kuan, where all the accused persons including the petitioners herein, had



assaulted the husband of the informant with sticks and lathi and injured him badly, resulting in his subsequent death.

The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 13.09.2021 and there is no possibility of conclusion of the trial in the near future, hence the petitioner be granted the privilege of bail.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record, this Court finds that not only there are ample materials on record to suggest the complicity of the petitioner in the alleged crime, who is prima facie stated to have assaulted and murdered the husband of the informant, but there is no change in the circumstances so as to warrant reconsideration of the prayer of the petitioner for grant of bail, hence I do not find any merit in the present petition, thus the present petition stands dismissed.

(Mohit Kumar Shah, J)

Saurav/-

U		T	
---	--	---	--

