

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54913 of 2023

Arising Out of PS. Case No.-148 Year-2019 Thana- CHANPATIA District- West Champaran

PUNIL MAHTO @ PUNIT MAHTO S/O NANDLAL MAHATO R/O
VILLAGE- SAHU TOLA JAITYA, P.S- CHANPATIYA, DISTT.- WEST
CHAMPARAN.

... .. petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 57297 of 2023

Arising Out of PS. Case No.-148 Year-2019 Thana- CHANPATIA District- West Champaran

CHANDAN MAHTO S/o Nandlal Mahato R/o vill - Sahu Tola, Jaitiya, P.S. -
Chanpatiya, Distt. - West Champaran

... .. petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 54913 of 2023)

For the petitioners/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Md. Fahimuddin

(In CRIMINAL MISCELLANEOUS No. 57297 of 2023)

For the petitioners/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-09-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for bail in a case
instituted for the offence under Sections 147, 148, 149, 341, 323,
307 and 302 of the Indian Penal Code.

3. The allegation against the petitioners along with



others is of assaulting the father of the informant leading to his death. It is further alleged that the accused persons also assaulted the elder brother of the informant's father.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. He submitted that there is general and omnibus allegation of assault by means of *farsa* is against three persons namely Dhruv Mahto and petitioners, but no corroborative injuries were found during postmortem examination rather the deceased has sustained some injuries caused by hard and blunt substances. Petitioners are languishing in judicial custody since 13.03.2023.

5. Learned APP for the State has opposed the application for bail and submitted that there is specific allegation of assaulting by means of *farsa* upon the head of the informant's father is against the petitioners, due to which he succumbed to injury, which corroborates the prosecution case. He further submitted that the Postmortem report has also corroborated the prosecution case. During investigation several witnesses have also supported the prosecution case.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioners on bail and, as such, his prayer for bail



stands rejected.

7. The trial Court is directed to conclude the trial expeditiously.

(Sunil Kumar Panwar, J)

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