

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58131 of 2023

Arising Out of PS. Case No.-185 Year-2022 Thana- PARSAUNI District- Sitamarhi

Ram Sewak Mahto Son Of Late Laxmi Mahto Resident Of Village -
Chhotkibelsand, Ward No.11, P.S. - Belsand, District - Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dwij Raj

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Parsauni P.S. Case No. 185 of 2022 instituted for the offence under Sections 341, 323, 324, 307, 302/34 of the Indian Penal Code.

3. As per allegation in the FIR, the petitioner along with Chandan Mahto and other co-accused persons assaulted the husband of the informant by means of various weapons due to which he sustained injury and died at the place of occurrence. The petitioner is specifically alleged to have stabbed with knife in the abdomen of the deceased c. Accordingly, the present FIR was registered.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and committed no offence. He has falsely been implicated in this case. There is case and counter case between the parties. The postmortem report of the deceased is not in-consonance with the prosecution allegation. The petitioner has got no criminal antecedents and languishing in judicial custody since 1.12.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that the petitioner is named in the FIR who along with co-accused Chandan Mahato is specifically alleged to have stabbed the deceased/husband of the informant by means of sword & knife due to which deceased succumbed to injury. According to postmortem report, incised wound as well as stab wounds found on the body of the deceased and doctor opined cause of death is due to Haemorrhage and shock leading to CR failure as a result of injuries caused by sharp and pointed weapon. During course of investigation, witnesses of the case have also supported the prosecution case.

6. Having heard the learned counsel for the parties and considering the fact that the petitioner has specifically been alleged to commit the offence, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail



stands rejected.

7. The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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