

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66738 of 2021

Arising Out of PS. Case No.-21 Year-2020 Thana- SONBERSA District- Sitamarhi

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Shailendra Mahto Son of Ram Kripal Mahto @ Kripal Mahto, Resident of
Village - Matiyar Kala, P.S.- Sahiyara, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Ms. Madhubala Verma, Advocate
For the State	:	Md. Mushtaque Alam, APP
For the Informant	:	Mr. Vikash Kumar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

5 29-03-2023 The applicant is accused in Crime No.21 of 2020 registered with Sonbarsa Police Station for the offence punishable under Sections 120B, 302 read with Section 34 of the Indian Penal Code as well as Section 27 of the Arms Act. By this application he is seeking his release on bail during the pendency of the trial.

 Heard the learned counsel appearing for the applicant/accused. She argued that name of the applicant has been surfaced on record of investigation through confessional statement of co-accused Sikandar Mukhiya. It is further argued that the applicant was in fact, undergoing jail sentence on the



date of the incident and, therefore, there is no question of he committing crime of murder of Anil Kumar. It is further argued that co-accused are directed to be released on bail by the Coordinate Bench of this Court.

The learned Additional Public Prosecutor assisted by the learned counsel for the First Informant argued that the charge in the case in hand is that of criminal conspiracy to commit murder of Anil Kumar. It is further argued that work of recording of evidence of the prosecution is already over and the case is fixed on 01.04.2023 for final arguments.

It is seen that Nannu Mahto son of First Informant Sonelal Mahto was murdered and that case has resulted in conviction of the present applicant as well as other accused persons. They have threatened First Informant Sonelal Mahto to settle that matter or else his another surviving son would be murdered. That is how, according to the prosecution case, subsequently Anil Kumar came to be murdered on 28.01.2022.

It is seen that bail applications of co-accused Shankar Mahto and Sikandar Mukhiya are already rejected by the Coordinate Benches of this Court in Cr. Misc No.39065 of 2020 and Cr. Misc No.19295 of 2021 respectively. The trial is virtually over and is fixed for final hearing on 01.04.2023.



Hence, no case for grant of bail is made out. The application is accordingly rejected.

(A. M. Badar, J)

Saurabhkrsinha/
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