

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64022 of 2023

Arising Out of PS. Case No.-150 Year-2023 Thana- CHANDI District- Nalanda

Chintu Mahto, S/O- Vijendar Mahto, R/O- Village- Madhopur Dih, P.S.-
Chandi, Dist.- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sumit Kumar, Advocate
For the State	:	Mr.Anand Kishore Choudhary, APP
For the Informant	:	Mr. Gautam Shah, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 20-12-2023 Heard learned counsel for the petitioner, learned
counsel for the informant, and learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Chandi P.S. Case No. 150/2023, lodged on 18.04.2023 under
Sections 302, 201, 120B and 34 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against the petitioner and others alleging therein that the
petitioner in connivance with the other co-accused persons has
killed the son of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
antecedent of the petitioner is clean and he is in custody since
20.04.2023. He further submits that the deceased was actually



indulged in the business of illicit liquor and due to this, he has a series of enemies. He further submits that in the case diary as well as in the FIR only suspicion has been raised against the petitioner. There is no cogent material on the basis of which it can be said that the petitioner is involved in the commission of the said crime. The chargesheet has already been filed.

5. Learned counsel for the State opposes the prayer for bail and submits that the case diary has been called for and paragraphs nos. 12, 13, and 37 are relevant due to the reason that the petitioner was last seen with the deceased.

6. Learned counsel for the informant vehemently opposes the prayer for bail and submits that not only paragraphs 13 and 14 but also the details of the CDR also made it clear that the statement made in paragraph nos. 13- 14 is true that the petitioner was last seen with the deceased prior to his death.

7. In the present facts and circumstances, I am not inclined to grant regular bail to the petitioner.

8. Accordingly, the prayer for regular bail of the petitioner in connection with Chandi P.S. Case No. 150/2023, pending before the learned ACJM, Hilsa, Nalanda is hereby rejected.

9. However, the trial Court is directed to release the



petitioner on bail by imposing its own condition so that the petitioner may not evade appearance during the trial if he renews his prayer for bail after framing of charge.

10. With this observation, the bail application stands disposed of.

(Dr. Anshuman, J)

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