

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70959 of 2022

Arising Out of PS. Case No.-40 Year-2021 Thana- MEDNI CHAUKI District- Lakhisarai

OM MAHTO @ OM NANDAN MEHTA Son of Shiv Nandan Mahto
Resident of Village - Hussaina, P.S. - Medni Chowki, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pankaj Kumar Sinha Mr.Rabi Bhushan
For the Opposite Party/s :		Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-05-2023 Heard the parties.

The petitioner apprehends his arrest in connection with Medni Chowk PS Case No. 40 of 2021 dated 18-03-2021 registered under Section 302, 120(B), 34 of the IPC and Section 27 of the Arms Act.

As per the FIR on the direction of the co-accused / Nutan Mehta, the petitioner fired upon the brother of the informant due to which he died.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to previous matrimonial dispute between the brother of the informant and the sister of the petitioner. He next submits that as per the C.C.T.V. footage collected during the course of



investigation the informant was not present at the place of occurrence and nobody had seen the occurrence as claimed in the FIR.

Learned counsel for the informant on the other hand submits that there is direct allegation of firing on the petitioner due to which the deceased died.

Regard being had to the submissions made by the parties, taking into consideration the material on record and the fact that there is direct allegation of firing against the petitioner, I am not inclined to grant anticipatory bail to the petitioner.

The petition stands rejected.

(Anil Kumar Sinha, J)

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