

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17245 of 2024

Arising Out of PS. Case No.-174 Year-2023 Thana- VAISHALI District- Vaishali

Shivchandra Mahto Son of late Kamal Mahto Chaudhary Resident of vill.-
Sorhatha (Talrahua), P.S.-Vaishali (OP Belsar), Distt.-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 07-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with S.T No. 740 of 2023 arising out of Vaishali (Belsar OP) P.S. Case No. 174 of 2023 dated 03.05.2023, registered for the offence/s punishable under Sections 302, 307, 341, 323, 324, 504, 506 and 34 of the Indian Penal Code.

3. As per the FIR the allegation is that all the FIR named accused persons including the petitioner assaulted the husband of the informant with lathi, danda, farsa and iron rod causing head injury due to which he died on the spot.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. There is no specific allegation of assault against this petitioner. The Petitioner is in custody since 08.06.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submits that there is specific allegation against this petitioner of assault on the head of the husband of the informant due to which he died. The postmortem report also reveals cause of death was due to grievous injury on the head.

6. Considering the aforesaid facts and circumstances of the case as well as the specific allegation against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with S.T No. 740 of 2023 arising out of Vaishali (Belsar OP) P.S. Case No. 174 of 2023 pending in the Court of the learned Additional District and Sessions Judge II, Vaishali at Hajipur.

7. This application stands rejected

(Chandra Prakash Singh, J)

Prakash/-

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