

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27232 of 2024

Arising Out of PS. Case No.-104 Year-2023 Thana- MALI District- Aurangabad

- 1. Vinod Mehta S/o Late Ramsundar Mehta R/o Village Chilhaki Bigha, PS Amba, District Aurangabad
- 2. Sunil Kumar S/o Subedar Mehta R/o Village Chilhaki Bigha, PS Amba, District Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 28003 of 2024

Arising Out of PS. Case No.-104 Year-2023 Thana- MALI District- Aurangabad

Vijay Mehta Son of Late Kuldeep Mahto Village Chilhki Bigha PS Amba Dist Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 28095 of 2024

Arising Out of PS. Case No.-104 Year-2023 Thana- MALI District- Aurangabad

- 1. Dhananjay Mehta Son of Ramjanam Mehta Resident of Village-Chilhki Bigha, P.S.- Amba, District- Aurangabad (Bihar)
- 2. Dharmendra Mehta Son of Ramjanam Mehta Resident of Village-Chilhki Bigha, P.S.- Amba, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 27232 of 2024)
For the Petitioner/s : Mr. Ashok Singh, Adv.
Mr. Krishna Singh, Sr. Adv.
For the Opposite Party/s : Mr. Harendra Prasad, APP
Mr. Umanath Mishra, APP
For the Informant/s : Mr. Om Prakash Kumar, Adv.
(In CRIMINAL MISCELLANEOUS No. 28003 of 2024)
For the Petitioner/s : Mr.Arun Kumar
For the Opposite Party/s : Mr.Raj Kishor Singh



(In CRIMINAL MISCELLANEOUS No. 28095 of 2024)

For the Petitioner/s : Mr.Arun Kumar

For the Opposite Party/s : Mr.Raj Kishor Singh

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

ORAL ORDER

6 22-08-2024 Heard learned counsel for the petitioners, learned
counsel for the informant and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Mali P.S. Case No. 104 of 2023 dated 11.11.2023 registered for the offences punishable under Section 302, 120B and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioners and the co-accused persons are alleged to have killed the informant's father under conspiracy.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is allegation against the petitioners is general and omnibus in nature. The petitioners have no concern with the alleged occurrence. The co-accused persons have been granted bail by this Court vide order 11.07.2024 passed in Cr. Misc. No. 30981 of 2024. The petitioners have one criminal antecedent in which they are on bail as stated in para 3 of the bail petition. The petitioners are in custody since



29.01.2024.

5. Learned A.P.P. for the State and learned counsel for the informant have opposed the bail petition of the petitioners by submitting that the petitioners were seen with the deceased when the petitioners came to the house of the informant and the informant's father(deceased) had gone with them on 10.11.2023 at 7.30 A.M. Thereafter at 10.30 A.M. on the same day, the informant got information that his father was murdered. It is a case of last seen theory. The case of the co-accused persons who have been granted bail is different to that of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of offence against the petitioners, this court is not inclined to grant bail to the petitioners and the same is rejected in connection with Mali P.S. Case No. 104 of 2023, pending in the Court of learned C.J.M., Aurangabad.

7. Learned trial court is directed to expedite the trial and conclude the same at the earliest.

8. The application stands rejected.

(Chandra Prakash Singh, J)

shivam/-

U		T	
---	--	---	--

