

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29501 of 2024**

Arising Out of PS. Case No.-353 Year-2023 Thana- TARAIIYA District- Saran

Sukhari Mahto @ Ajay Kumar @ Ajay Mahto S/o Bishwanath Mahto R/o
Village- Bhataura, P.S.- Taraiyan, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kumari, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 24-06-2024 Heard learned counsel for the petitioner, learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in connection with
Taraiyan P.S. case No. 353 of 2023 instituted for the offences
under Sections 302, 201/34 of the Indian Penal Code.

3. The allegation against the accused persons including
the petitioner is of committing murder of the deceased/niece of
the informant and, thereafter, burying the dead-body under the
ground and fleeing away.



4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case and has committed no offence as alleged against him. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. There is no eye-witness to the occurrence. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 23.02.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned counsel further submitted that the bail application of the similarly situated co-accused person, namely Narayan Mahto, has already been rejected by this Bench vide order dated 14.05.2024 passed in Cr. Misc. No. 20254 of 2024.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, nature and gravity of offence as also the fact that prayer for bail of the similarly situated co-accused was rejected, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner is



rejected with a direction to the court below to expedite the trial
and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

Alok Verma/-

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