

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79638 of 2023

Arising Out of PS. Case No.-4 Year-2023 Thana- KHUTAUNA District- Madhubani

LALIT MAHTO SON OF LATE RAMDEV MAHTO R/O VILLAGE-
SIHUKA SIKTIYAH, P.S.- KHUTAUNA, DISTRICT- MADHUBANI.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivnandan Bharti
For the Opposite Party/s : Mr.Sunil Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

7 13-08-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Khutauna P.S. Case No. 04 of 2023, registered for the offences punishable under Sections 302, 120B of the IPC and 27 of the Arms Act.

3. The son of the informant went outside from his home, after some hot discussion with his wife, in the next morning, his dead body was found and the informant noticed the injuries on head, neck and testicles of the deceased. The informant stated further that the wife of the deceased had illicit relation with the petitioner and one year prior to the occurrence, the petitioner had eloped with wife of the deceased. The



informant has firm belief that the petitioner in collusion with wife of the deceased, had murdered the deceased.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. None has seen the occurrence. The case has been lodged only on the basis of suspicion. He has submitted further that the petitioner is under custody since 24.01.2023 and no incriminating material emerged during course of investigation.

5. On the other hand, the learned APP for the State has opposed the prayer for bail and submitted that Sunaina Devi, wife of the deceased as well as the petitioner himself have furnished the vivid description of murder of the deceased in their respective confessional statements in which they have categorically confessed that the petitioner had committed murder of the deceased.

6. Considering the above-mentioned facts and circumstances, the petitioner does not deserve the privilege for bail, which is hereby rejected.

(Nawneet Kumar Pandey, J)

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