

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83138 of 2023

Arising Out of PS. Case No.-318 Year-2023 Thana- NAUTAN District- West Champaran

ANUP MAHTO S/O SUKHDEO MAHTO R/O VILLAGE- PAKADIA,
WARD NO.-14, P.S- NAUTAN (JAGDISHPUR O.P.), DISTT.- WEST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prashant Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 19-03-2024 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Nautan (Jagdishpur O.P.) P.S. Case No.318 of 2023 (G.R. No.
3425 of 2023) lodged under Sections 302 and 307 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against the petitioner against whom there is allegation of
assaulting his father-in-law who died during treatment in the
hospital.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that the due to family dispute, the argument took place between
husband and wife. In result, the informant's father left the house
and accidentally, the motorcycle slipped on PCC road and he
received serious injury which resulted into his death during
course of treatment. He further submits that as soon as the



petitioner received information about lodging of F.I.R., he surrendered before the court on 01.08.2023 whereas the occurrence took place on 26.07.2023.

5. Counsel for the petitioner submits that petitioner is in custody since 01.08.2023 having one criminal antecedent in which he is on bail and charge-sheet has already been filed in this case.

6. Learned counsel for the State opposes the prayer for bail and submits that the F.I.R. has been lodged by the wife against her husband. He submits that the case diary has been called for and in the case diary, the witness has supported the version of the F.I.R.

7. In the present facts and circumstances of this case and the submissions made above, this Court is not inclined to grant bail to the petitioner. Therefore, the bail application of the petitioner is hereby rejected,

8. It is directed to the trial court to expedite the trial and conclude within 9 months from today.

(Dr. Anshuman, J.)

Prakashmani/-

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