

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8224 of 2025

Arising Out of PS. Case No.-46 Year-2024 Thana- Kashnagar District- Saharsa

Rudal Mahto S/o Late Kanik Mahto R/o vill - Bind Toli, ward no. 4, Gram
Panchayat Kopa, P.S. - Kashanagar, Distt.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Anand

For the Opposite Party/s : Mr.Pushpa Sinha

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

ORAL ORDER

3 15-05-2025 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 Kashnagar P.S. Case No. 46 of 2024, registered for the offences punishable under Sections 115(2), 126(2), 109, 117(2), 351(2) & (3), 3(5) of BNS, 2023 and section 27 of the Arms Act.

3. The informant filed an FIR stating therein that her husband is a farmer. Few months ago, there was a quarrel between her husband and Rudal Mahato (the petitioner), who accused him of stealing a motor from his field. The petitioner, who lost a bidding contest for a post to her husband, had previously threatened to harm him. On 10.09.2024, at around



8:00 pm, while the informant was sitting at her door, she heard a gunshot and saw her husband running towards *Purba Gachi*. On hue and cry by the informant, the villagers gathered and the injured was taken to the Hospital for treatment. The informant has firm belief that in a deep conspiracy, the petitioner along with co-accused Daso Mahato, Darshan Mahato, Dharo Mahato, Harilal Mahato, and other unknown accused persons fatally assaulted her husband.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No independent witness has been examined and the name of this petitioner has figured merely on the basis of suspicion. The petitioner is under custody since 13.09.2024.

5. The FIR shows that some altercation had taken place between the petitioner and the deceased prior to the occurrence. The petitioner has leveled allegations on the deceased and committed theft of his electric motor. It has also been stated in the *fard-beyan* that this petitioner was one of the bidders for collecting rent from market and husband of the informant was the highest bidder and the auction was in his favor. It was also a reason for dispute between the parties. The witnesses in paragraphs 5, 6, and 7 have also corroborated the



allegations made in the FIR.

6. Considering the above-mentioned facts and circumstances, the petitioner does not deserve the privileges for bail. Accordingly it is rejected.

(Nawneet Kumar Pandey, J)

kundan/-

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

