

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4498 of 2025

Arising Out of PS. Case No.-908 Year-2022 Thana- LAKHISARAI District- Lakhisarai

Sujit Mahto @ Sujit Kumar @ Suhit Mahton, aged about 36 years (Male),
Son of Sitaram Mahto, Resident of Village- Auraiya, P S. and Dist- Lakhisarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Y.C. Verma, Sr. Advocate and Mr. Ashok
Kumar Jha, Advocate
For the Opposite Party : Mr .Shahabuddin Azeem @ S. Azeem, A.P.P.

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

ORAL ORDER

2 04-03-2025 Heard learned senior counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner had earlier moved for anticipatory
bail vide Cr. Misc. No. 51650 of 2023 which was dismissed as
withdrawn vide order dated 07.03.2024 by a Bench of this
Court, annexed as Annexure- P/1 to the present bail petition.

3. The petitioner had again filed an application for
grant of regular bail vide Cr. Misc. No. 46704 of 2024 which
was also rejected on 05.09.2024 by a Bench of this Court,
annexed as Annexure-P/2 to the present bail petition.

4. The petitioner has preferred this application for
grant of regular bail in connection with Lakhisarai P.S. Case No.



908 of 2022 dated 12.11.2022 registered for the offences punishable under Section 302 of the Indian Penal Code and Section 27 of the Arms Act.

5. As per the prosecution case, on 11.11.2022, a reception was held at the house of the informant's uncle. After the reception, the informant's mother come back to her home, while the informant stayed there. Later on, when the informant returned to his house, he found his mother lying in front of the house, having sustained a gunshot injury on the head. The informant claimed that his mother was murdered by unknown miscreants.

6. Learned senior counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the F.I.R. has been registered against unknown. His name has come in the present case only on the basis of suspicion. It is further submitted that after rejection of the prayer for regular bail of the petitioner, vide Annexure-P/2, trial proceeded in the learned trial court and during trial, six witnesses have been examined till date including the informant. The witnesses in their depositions have not supported the prosecution case against the petitioner. It is further submitted that during investigation, the informant



had filed a protest petition on 05.04.2023 making the aforesaid two witnesses who are his uncles as accused and one Munni Devi and also stated that his re-statement has not been recorded by the Investigating Officer. The petitioner has no concern with the alleged offence. The petitioner has three criminal antecedents and in two cases he has been acquitted and in one case he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 12.03.2024.

7. Learned A.P.P. for the State has opposed the bail petition of the petitioner. It has been submitted that there was friendship between the petitioner and his mother. The witnesses have stated that there was illicit relationship between the petitioner and the deceased. The witness, Sunil Kumar, brother of the deceased, has stated that the petitioner murdered his sister. Para 112 and 115 of the case diary reveals that the petitioner abused and threatened one of the witnesses, Raj Kumar Sao to kill him if the case was not withdrawn. It is further submitted that the petitioner also killed the husband of the deceased (Tuntun Sao) in the year of 2019. It is further submitted that the deceased was pressurizing the petitioner to marry her but the petitioner did not want to marry her, due to that he committed murder of his mother. P.W. 4 in her cross-



examination has stated that Poonam Devi was shot dead by the petitioner Sujit Mahto. It is further submitted that P.W. 7 in his cross-examination has stated that Poonam Devi was shot dead by the petitioner Sujit Mahto.

8. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of offence against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is again rejected in Sessions Trial No. 232 of 2024, arising out of Lakhisarai P.S. Case No. 908 of 2022, pending in the Court of learned District and Additional Sessions Judge -I-cum-Special Judge, SC/ST, Lakhisarai..

9. The application stands again rejected.

(Chandra Prakash Singh, J)

U.K./-

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

