

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8636 of 2025

Arising Out of PS. Case No.-305 Year-2024 Thana- HASPURA District- Aurangabad

1. Kamlesh Mahto @ Kamlesh Singh S/o Late Mandip Mahto Residents of village- Birhara, P.S. - Haspura, Distt- Aurangabad
2. Guddu Kumar Son of Kamlesh Mahto @ Kamlesh Singh Resident of Village-Birhara, Police Station-Haspura, District-Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamendra Prasad Singh, Advocate

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

5 02-07-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 103(1), 238 and 3(5) of the BNS.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and petitioner no. 2 is son of petitioner no. 1 and the informant alleges that her husband did not return home in the night and in the morning his dead body was found near the farm of Nirbhay Singh, thus, alleges that her husband might have been killed by the petitioners as they had threatened to kill him, since daughter of petitioner no. 1 after marriage came back to her parental home



and the deceased was the person who had mediated the marriage.

4. Learned counsel appearing on behalf of the petitioners submits that informant based on suspicion has falsely implicated the petitioners. It is further submitted that deceased had mediated the marriage of the daughter of the petitioner no. 1 but then the marriage failed as such there was an altercation with the deceased but then it is submitted that why the petitioners would have killed the deceased. It is next submitted that the entire allegation hinges on suspicion and the informant is not an eye witness to the occurrence, it is next submitted that when her husband did not come home in the night she did not make any endeavour to search him but then merely because of an altercation which had taken earlier on account of failed marriage of the daughter of the petitioner no. 1, the informant implicated them. It is also submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, let the petitioners above-named, in



the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Haspura P.S. Case No. 305 of 2024, subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

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