

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9211 of 2025

Arising Out of PS. Case No.-296 Year-2024 Thana- ATHMALGOLA District- Patna

Sadhu Mahto Bideshi Mahto village- Kali Asthan, Malahi, Ps- Barh, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap, Adv.

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

For the Informant : Mr. Shankar Kumar, Adv.

Mr. Rajiv Ranjan Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

3 14-05-2025 Heard learned counsel for the petitioner, learned
A.P.P for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with Athmalgola P.S. Case No. 296 of 2024 dated 22.09.2024 registered for the offence punishable under Sections 137(2), 140(3), 103(1), 238 and 61(2) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that on the alleged date of occurrence husband of the informant went to Dachhini Chak for hunting boar along with Dinesh Paswan and the petitioner but the husband of the informant did not return. When the informant enquired from the petitioner and Dinesh Paswan, they stated that her husband was with them and he went for natural call but did not return. They searched him and thereafter they came to their house. The informant



searched her husband but could not get any trace of him.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the allegation against the petitioner is that he along with Dinesh Paswan and husband of the informant went to Dachhini Chak for hunting boar but did not return. When the informant enquired from the petitioner and Dinesh Paswan, they stated that her husband was with them but he went for natural call but did not return. It is submitted that the petitioner has no role in death or killing of the informant's husband. It is further submitted that the informant is not an eye witness to the occurrence. Lastly, it has been submitted that the petitioner is in custody since 27.09.2024, having no criminal antecedent and charge-sheet has been submitted in the case.

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

6. On the other hand, learned counsel for the informant vehemently oppose the prayer for bail of the petitioner and submitted that during course of investigation Dinesh Paswan was arrested and he confessed his guilt, which led to recovery of the dead body. It is submitted that co-



accused Dinesh Paswan also disclosed the name of the petitioner and one Sujeet Paswan. It is further submitted that Dinesh Paswan also accepted that he along with the petitioner killed Manik Mahto (husband of the informant) on the instruction of Sujeet Paswan.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, I am not inclined to grant bail to the petitioner at this stage.

8. Accordingly, the prayer of the petitioner for grant of bail is **rejected**.

9. The learned Trial Court is directed to take all endeavour to conclude the trial within nine months from the date of receipt/production of a copy of this order without granting any necessary adjournment.

10. This application stands dismissed.

(Khatim Reza, J)

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