

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11587 of 2025

Arising Out of PS. Case No.-2 Year-2024 Thana- TIKAPATTI District- Purnia

Ajay Mahto, son of Late Wakil Mahto @ Okil Mahto, R/o village- Goriyar,
Milik Tola, PS- Tikapatti, Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bidhu Ranjan, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 25-04-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Tikapatti P.S. Case No. 02 of 2024 registered
for the offences punishable under Sections 304B/34 and 120B of
the Indian Penal Code.

3. This is the second attempt made on behalf of the
petitioner, as earlier the prayer for bail of the petitioner was
negated by this Court vide order dated 20.11.2024 in
Cr. Misc. No. 62840 of 2024, taking into consideration the
nature of allegation and the materials available on record,
especially the injury sustained to the victim and the fact that the
petitioner is none else but the husband.

4. Learned Advocate for the petitioner has contended



that since the prayer for bail of the petitioner was already rejected on merit; hence, he is not making any submission based upon the merit, but it is the fact that the petitioner has already surrendered on 06.03.2024 and now he has been incarcerated for over a period of one year having no criminal antecedent. Moreover, while negating the prayer of the petitioner, on the last occasion, a liberty was accorded to the petitioner to renew his prayer for bail after framing of the charge. Placing reliance upon the Annexure-P/3 to the bail application, it is further contended that now the charges have already been framed and the petitioner undertakes before this Court that he shall remain present on each and every date of trial till its conclusion.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that postmortem report clearly suggests the mark of violence over the body of the deceased; moreover, the marriage was solemnized in the year 2022 and the victim was done to death within a short span of time.

6. Regard being had to the submissions made on behalf of the parties and considering the observation made by this Court and the petitioner has been incarcerated over a period of one year having no criminal antecedent and he undertakes



that he will fully cooperate in the trial till its conclusion, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-III, Purnea in connection with Tikapatti P.S. Case No. 02 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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