

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12716 of 2025

Arising Out of PS. Case No.-24 Year-2022 Thana- SAHAJITPUR District- Saran

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Vishal Mahto @ Vishal Kumar Mahto Son of Manager Mahto Resident of
Village - Piparpatti, P.S.- Sahajitpur, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

5 01-07-2025 Heard learned counsel for the petitioner and learned

APP for the State. Perused the case diary.

2. The petitioner has earlier moved before a Co-ordinate Bench of this Court with a prayer for anticipatory bail which was rejected vide order dated 21.03.2024 passed in Cr. Misc. No. 17342 of 2024.

3. The petitioner seeks bail in connection with Sahajitpur P.S. Case No. 24 of 2022 instituted for the offences under Sections 304(B), 201, 34 of the Indian Penal Code.

4. As per prosecution case, the accusation against the petitioner is of committing murder of the deceased/wife within a period of seven years of marriage for non-fulfillment



of dowry demand.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. The petitioner has not committed any offence as alleged in the F.I.R. The petitioner is the husband of the deceased and has never demanded any dowry from the deceased or her family. He has also never tortured the deceased. Learned counsel for the petitioner submits that the deceased has died her natural death and the Informant has also taken part in the cremation. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. Learned counsel for the petitioner further submits that the matter has been compromised between the parties. The petitioner has no criminal antecedent and is languishing in judicial custody since 30.09.2024 without any rhymes or reason.

6. Learned counsel for the petitioner again submits that the co-accused Manajar Mahto has been granted bail by Co-ordinate Bench of this Court vide order dated 24.02.2023



passed in Cr. Misc. No. 63460 of 2022. Learned counsel for the petitioner further submits that the trial has commenced and the Informant has been declared hostile. He further submits that out of total seven charge-sheet witnesses, two witnesses have been examined.

7. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. The petitioner is named in the F.I.R. and, hence, he does not deserve bail. The Investigating Officer, after completion of investigation, has submitted charge-sheet under Sections 304(b)/201/120(b)/34 of the I.P.C.

8. Having heard learned counsel for the parties and considering the nature and gravity of the offence as alleged against the petitioner as also the trial having been commenced, this Court is not inclined to grant bail to the petitioner at this stage.

9. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to



expedite the trial and conclude the same expeditiously preferably within a period of five months from today. If the trial is not concluded within the aforesaid period of five months, the petitioner will be at liberty to renew his prayer for bail before the court below.

(Rudra Prakash Mishra, J)

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