

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12084 of 2025

Arising Out of PS. Case No.-51 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

Golu Mahato, (Male), aged about 35 years, S/o- Anand Bihari Mahato @
Hukum Mahato @ Anand Bihari @ Huku Mahato, Resident of Naini, P.S-
Chapra, Muffasil, Dist- Saran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Dhananjay Mishra, Advocate
For the Opposite Party : Mr. Brajendra Nath Pandey, A.P.P.

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

ORAL ORDER

3 18-06-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Mufassil
(Chapra) P.S. Case No. 51 of 2024 dated 31.10.2024 registered
for the offences punishable under Sections 365 read with
Section 34 of the I.P.C. Later on, Sections 302, 120B and 201 of
the I.P.C. were also added.

3. As per the prosecution case, on 30.01.2024 at about
11.00 A.M., the husband of the informant had gone out of the
house but he did not return. It is further alleged that the husband
of the informant alongwith Golu (petitioner) and 3-4 persons
had eaten chicken and rice and thereafter never came back. The
informant has suspected that her husband had been abducted.



She does not have any knowledge about the name and address of other two persons.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is further submitted that there is no specific allegation against the petitioner and his name has surfaced in the present case for eating chicken and rice with the deceased and the informant has raised suspicion against the petitioner that he has kidnapped her husband. It is further submitted that except suspicion, there is no other substantive evidence to suggest the implication of the petitioner in the present case. The petitioner has cordial relationship with the deceased and they are friends and so the petitioner and the deceased and other persons took meal and drink together. The petitioner and the deceased and other persons took wine and went in drunken condition and thereafter the petitioner has no any knowledge about the murder of the deceased because all persons were in drunken condition. The petitioner is an innocent person who earns his livelihood through the tuition and agriculture work but malafidely he has been dragged in the present case. It is further submitted that the other co-accused person, namely, Tikari Mahto @ Rahul Kumar @ Tekari has already been granted bail by the Co-ordinate



Bench of this Court in Cr. Misc. No. 45505 of 2024 vide order dated 28.06.2024. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 03.02.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioner and has further submitted that the petitioner is named in the F.I.R. He further submits that there is direct allegation against the petitioner that he abducted the husband of the informant and killed by strangulating him. He further submits that in paragraph no. 21 of the case diary, he confessed his guilt that he killed the husband of the informant by strangulating him. The postmortem report of the deceased also suggests the cause of death is 'Asphyxia due to strangulation.'

6. Considering the aforesaid facts and circumstances of the case as well as the heinous and specific nature of accusation against the petitioner, this Court is not inclined to grant bail to the petitioner and the same is rejected in connection with Muffasil Chapra P.S. Case No. 51 of 2024, pending in the court of learned A.D.J.-Xth, Saran at Chapra.

7. The application stands rejected.

8. The learned trial court is directed to expedite the trial



of the petitioner and conclude the same at the earliest.

(Chandra Prakash Singh, J)

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