

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15871 of 2025

Arising Out of PS. Case No.-431 Year-2024 Thana- BATHNAHA District- Sitamarhi

Abhishek Kumar Mahto @ Abhishek Kumar S/O Baiju Mahto R/O Village-
Inarwa, P.S- Parihar, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pushpendra Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Surendra Kumar, APP
For the Informant	:	Mr. Raja Ram, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-04-2025 Heard Learned Counsel for the petitioner, Learned
APP for the State and Learned Counsel for the informant.

2. The present Criminal Miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as “BNSS, 2023”) for grant of anticipatory bail to the petitioner who is apprehending his arrest in connection with Bathnaha P.S. Case No. 431 of 2024, lodged on 18.09.2024, under Section 85, 90, 118(1), 123 and 3(5) of the Bhartiya Nyay Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, FIR has been lodged against four named accused persons, including the present petitioner, with the allegation that the petitioner attacked the informant’s daughter and then gave her poison, which caused her injury. Afterward, the victim was rushed to the hospital, but in the meantime, she died.



4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that the deceased was the wife of the petitioner. The occurrence took place at the petitioner's in-laws' house, and the case diary is required in this case. Counsel further submits that the petitioner has been unnecessarily made an accused in the present case. Counsel also submits that the antecedent of the petitioner is clean.

5. Learned Counsel for the informant vehemently opposes the prayer for bail and submits that there is a specific allegation against the petitioner that he not only injured the informant's daughter but also gave poison to her, and she died before receiving treatment.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. In the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby **rejected**.

(Dr. Anshuman, J.)

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