

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15953 of 2025

Arising Out of PS. Case No.-1310 Year-2023 Thana- KHAGARIA District- Khagaria

Pramod Kumar @ Pramod Mahton S/o- Siya Ram Mahton Village- Balghatta
PS-Gangaur, Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-03-2025 Heard Mr. Shekhar Kumar Singh, learned counsel

for the petitioner and Mr. Anil Kumar, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
25.01.2025, in connection with Khagaria (Gangaur) P.S. Case
No. 1310 of 2023, corresponding to G.R. No. 4504 of 2023, FIR
dated 26.12.2023 registered for the offence under Sections
302/34 of the Indian Penal Code.

3. As per the prosecution case, petitioner with the
help of the other co-accused persons killed the daughter of the
informant by strangulating her.

4. Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and he has falsely been implicated in this case. He



further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that the petitioner is nephew of the deceased and due to some petty dispute the petitioner has falsely been implicated in this case on the basis of the suspicion and except the suspicion no other cogent material has come during the investigation to suggest the involvement of the petitioner in the present occurrence. He further submits that similarly situated other co-accused person, namely, Pintu Mahto has been granted bail by this Court vide order dated 18.09.2024 passed in Cr. Misc. No. 41026 of 2024 and co-accused person, namely, Siya Ram Mahton @ Shiya Ram Mahto has also been granted bail by this Court vide order dated 13.12.2024 passed in Cr. Misc. No. 85309 of 2024. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 25.01.2025.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts that the petitioner has clean antecedent, he has been made accused in the present case merely on the basis of the suspicion and similarly situated



other co-accused persons have already been granted bail by this Court, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Khagaria (Gangaur) P.S. Case No. 1310 of 2023, corresponding to G.R. No. 4504 of 2023 with the following conditions:-

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(ii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order



shall not be delayed for purpose of or in the name of
verification.

(Rajesh Kumar Verma, J)

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