

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17095 of 2025

Arising Out of PS. Case No.-122 Year-2022 Thana- NATIONAL HIGHWAY District-
Samastipur

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1. Pankaj Mahto Son of Vishwa Nath Mahto Resident of Village- Rahimabad,
P.S.- N H Bangra, District- Samstipur
 2. Guriya Devi @ Guriya Kumari Pankaj Mahto Resident of Village-
Rahimabad, P.S.- N H Bangra, District- Samstipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Ajay Kumar, Advocate
For the State : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-04-2025 Heard learned counsels for the parties.

2. The petitioners seek bail in connection with N H Bangra P.S. Case No. 122 of 2022, registered for the offence punishable under Sections 302 and 34 of the Indian Penal Code.

3. As per prosecution case, all the F.I.R. named accused persons, including these petitioners and son of informant used to work as laborers at Karnal wherein son of informant fell in love with a girl, due to which enmity arose between this petitioner and son of informant and subsequently, on 22.09.2022, informant came to know that his son was called by all the accused persons, including these petitioners and thereafter, he was killed by them.



4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. Informant is not an eye witness of the alleged occurrence and only suspicion, petitioners have been made an accused in this case. It is further submitted that from bare perusal of the *post mortem* report suggests that the doctor has opined that there was no external injury on the body of the deceased, which itself falsifies the entire prosecution case. Moreover, similarly situated co-accused persons have already been granted privilege of bail by this Hon'ble Court vide order dated 30.08.2024 passed in Cr. Misc. No. 53526 of 2024 and order dated 20.07.2023 passed in Cr. Misc. No. 24956 of 2023. Petitioners claim clean antecedents and they are in custody since 06.01.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the facts and circumstances of the case, nature of accusation, claim based on parity and period of custody, the prayer for bail of these petitioners is allowed.

7. Accordingly, let the above named petitioners be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the



satisfaction of learned J.M. 1st Class, Samastipur in connection
with N H Bangra P.S. Case No. 122 of 2022.

(Prabhat Kumar Singh, J)

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