

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19815 of 2025**

Arising Out of PS. Case No.-249 Year-2018 Thana- DARIYAPUR District- Saran

1. Ritesh Mahto @ Ritesh Kumar S/o- Naibat Mahto Village- Rampur Anant, Ps- Dariyapur, Dist- Saran
2. Naibat Mahto S/o- Late Nandu Mahto Village- Rampur Anant, Ps- Dariyapur, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra
For the Opposite Party/s : Mr.Umesh Lal Verma

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 19-04-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case punishable for the offence under Sections 302/34 of the Indian Penal Code.

3. As per the prosecution case, on 09.08.2018 at about 10.30 PM, there was power cut and father of informant was sleeping at the door, in the meantime, some miscreants attacked him with sharp cut weapon, due to which, father of informant sustained injury on his neck and face and in course of treatment, died.

4. Learned counsel for the petitioners submits that petitioners are not named in the F.I.R. During course of investigation, the informant in his restatement also did not name



these petitioners and after investigation, police submitted final form. However, on protest petition, filed by the informant, the Court below has taken cognizance. He further submits that though, petitioners are next door neighbours of informant, but informant has not named these petitioners in the F.I.R. or in his re-statement before the police. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate – XI, Saran, Chapra in connection with Enquiry Case No. 21 of 2024, Registration No. 375 of 2022, arising out of Dariyapur P.S. Case No. 249 of 2018, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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