

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23763 of 2025

Arising Out of PS. Case No.-40 Year-2022 Thana- SULTANGANJ District- Patna

Sanjay Kumar @ Sanjay Mahto Son of Ganour @ Ganouri Mahto Singh
Resident of Village - Safipur, P.S.- Khushroopur, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tej Maharaj, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 13-08-2025 Heard the parties.

2. The petitioner is in custody in connection with Sessions Trial No. 1527 of 2024 arising out of Sultanganj P.S. Case No. 40 of 2022 for the offence punishable under sections 341, 323, 302, 34, 338 of the Indian Penal Code lodged on 08.02.2022 by the informant, Prameshwari Devi.

3. As per the prosecution story, the informant alleged that her daughter, Pinki Devi (deceased) was married to late Sunil Mahto and pursuant to the separation with the other brother-in-laws, she was having peaceful physical possession over the share allotted to her. However, the brother-in-laws always used to create trouble so that she could leave the house. As the lady wanted to take steps for fresh construction, allegation is that all the family members brutally assaulted her causing the death. Main role has



been attributed to the brother-in-laws, Anil Mahto and Sunil Mahto beside the sister-in-laws, Kiran Devi and Manju Devi. This led to the FIR.

4. Learned counsel for the petitioner submits that he is brother-in-law of the deceased (nandosi), neither have any share in the ancestral property of the brother-in-laws nor have any role to play but unnecessarily, his name has been dragged for which he has already suffered by being in custody since 19.08.2024. Further, he has no criminal antecedent and others including Anil Mahto have been extended bail.

5. Learned APP, Mr. Bharat Bhushan opposes the prayer for bail submitting that he has come into judicial custody belatedly, the FIR is of the year, 2022.

6. Considering the submissions of the parties as also the fact that main role has been attributed to Anil Mahto and Suresh Mahto beside their wives, they are now on bail, this petitioner has remained in custody for one year, has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Court of Addl. District & Sessions Judge, 1st Patna City, Patna in connection with



Sessions Trial No. 1527 of 2024 arising out of Sultanganj P.S.
Case No. 40 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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