

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24682 of 2025

Arising Out of PS. Case No.-395 Year-2024 Thana- MANER District- Patna

Rajesh Mahto S/O Late Basudeo Mahto Resident of Village- Khashpur
(Sherpur), P.S- Maner, Distt.- Patna (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms.Sweety Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 24-07-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. Petitioner seeks bail in connection with Maner

P.S.C ase No. 395 of 2024 registered for the offences under

Sections 302, 201 & 34 of the Indian Penal Code.

3. The petitioner is named in the First Information

Report and is in custody since 17.11.2024.

4. Allegation against the petitioner is to commit

murder of husband of the informant along with other named

co-accused persons, where occurrence took place due to

dispute arising out of illicit liquor business.

5. It is submitted by learned counsel appearing for

the petitioner that husband of the informant was himself



indulged in manufacturing of illicit liquor activities and for the said illegal business rivalry, he might be killed by some unknown persons, but as before the occurrence, petitioner along with other named co-accused persons advanced threat to him, he was named with present occurrence, however, the specific allegation is available against only co-accused namely, Sukhdev Rai, who called husband of the informant from his home soon before the occurrence. It is submitted that informant is not the eye witness of the occurrence and mere on the basis of suspicion as discussed aforesaid, petitioner was implicated with the present case, who is a man of clean antecedent.

6. While concluding argument, it is submitted that investigation of this case is already completed and as such, there is no chance of tampering with the evidence.

7. Learned A.P.P. for the State, while opposing the prayer of bail of the petitioner, submitted that petitioner actively participated in the alleged occurrence.

8. In view of the aforesaid factual submission and by taking note of the fact as deceased was specifically called



by co-accused Sukhdev Rai from his house, not by this petitioner, where *prima facie* only allegation against this petitioner is to advance threat along with other named co-accused persons before the occurrence, maximum creating suspicion, coupled with the fact that investigation of this case is already completed, where petitioner remains in custody since 17.11.2024, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1st Class, Danapur/concerned court, in connection with Maner P.S. Case No. 395 of 2024, subject to the condition as laid down under Section 437 (3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short "B.N.S.S.").

(Chandra Shekhar Jha, J)

Rajeev/-

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