

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40119 of 2025

Arising Out of PS. Case No.-451 Year-2023 Thana- ROSERA District- Samastipur

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1. Vikash Kumar S/o Ram Kumar Mahto @ Ram Kumar R/o Village- Mirjapur Ward No. 03, P.S.- Rosera, Dist.- Samastipur
 2. Ram Kumar Mahto @ Ram Kumar S/o Khushi Lal Mahto R/o Village- Mirjapur Ward No. 03, P.S.- Rosera, Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Shubhesh Pandey, Advocate
For the State : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 31-10-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek bail in a case registered for the offence punishable under Sections 302 and 34 of the Indian Penal Code.

3. Earlier, the prayer for grant of bail to the petitioners was rejected by this Court by two different orders.

4. Learned counsel for the petitioners contends that informant is not an eye witness of the occurrence. As a matter of fact, during course of investigation, many witnesses have stated that the deceased was done to death by the informant and his



family members in order to save their honour and later on, the dead body of the deceased was thrown at the door step of these petitioners. During trial, two witnesses were examined on behalf of the prosecution and none of them have supported the prosecution case and rather they have stated in their evidence that the dead body of the deceased was placed at the door of these petitioners after killing him. There is no evidence of record to show that the deceased was killed by these petitioners. It is lastly submitted that there is no likelihood of conclusion of trial in the near future. Petitioners have got no criminal antecedents and Petitioner No. 1 is in custody since 31.07.2023 and Petitioner No. 2 is in custody since 04.02.2024.

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, period of custody and clean antecedents of the petitioners, the prayer for grant bail of to the 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 District and Additional Sessions Judge-I, Rosera, Samastipur in connection with Rosera P.S. Case No.



451 of 2023.

(Prabhat Kumar Singh, J)

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