

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38583 of 2025

Arising Out of PS. Case No.-756 Year-2023 Thana- KANTI District- Muzaffarpur

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Anil Mahto S/O Late Ramesh Mahto R/O Village-Sherukahi, PS-Kanti, Distt-Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Nitu Kumari, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 29-08-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Kanti P.S. Case No. 756 of 2023 instituted for the offence under Sections 302, 120(B) & 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that son of the informant was shot dead with a conspiracy made by the co-accused, including the petitioner. It is also alleged that petitioner and co-accused, Pinki Devi have some illegal relationship between them.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 20-02-2025. Petitioner



bears no criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that there is no specific allegation against the petitioner, rather the same is general and omnibus. There is no eye witness to the occurrence. Save and except suspicion, there is no material against the petitioner. Other co-accused has been granted bail by this Court vide order dated 04-04-2024, passed in Cr. Misc. No. 24823 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is fervently submitted that petitioner is specifically named in the FIR and there is direct allegation against him of having threatened the informant's son and then having shot him dead due to his illicit relationship with deceased wife.

7. Considering the aforesaid facts and circumstances of the case, this Court is not inclined to grant bail to the petitioner. Prayer for grant of bail to the petitioner is hereby *rejected*.

8. However, petitioner will be at liberty to renew his prayer for bail if the trial is not concluded within a period of six



months from today.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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