

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41639 of 2025

Arising Out of PS. Case No.-407 Year-2024 Thana- BIKRAM District- Patna

Naveen Mahto S/o Baban Mahto Village- Milki Gorakhari, PS- Bikram,
Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Pathak, Adv.
For the Opposite Party/s	:	Mr. Anuj Kumar Shrivastava, APP
For the Informant	:	Mr. Shalu Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 24-11-2025 Heard the parties.

2. The petitioner seeks bail in connection with
Bikram P.S. Case No. 407 of 2024 registered for the offence
under Sections 103(1), 3(5) of BNS/ Section 302/34 of the
I.P.C.

3. The petitioner is named in the F.I.R. and is in
custody since 17.03.2025.

4. As per FIR, petitioner alongwith other named
eight accused assaulted the father of the informant by using
rod and knife due to which the father of informant received
serious bodily and head injuries, who subsequently died
during his treatment at PMCH, Patna.



5. Learned counsel appearing on behalf of the petitioner submitted that from the perusal of FIR it can be gathered safely that informant is not an eye witness of actual occurrence and she arrived at the place of occurrence on hearing alarm and found informant unconscious. It is submitted that as this petitioner alongwith other named co-accused found running away from the place of occurrence, this petitioner was implicated with present crime in question alongwith other named co-accused.

6. While arguing further, it is submitted that investigation of this case concluded long back and petitioner remains in custody since last 8 months but despite of same not even a single prosecution witness was examined by learned trial court, suggesting that trial of this case not likely to conclude in near future. While concluding the argument, it is submitted that petitioner claimed clean antecedent.

7. Learned APP, opposed the prayer of bail.

8. Ms. Shalu Sinha learned counsel for the Informant submitted that as per FIR petitioner actively participated during the course of occurrence assaulting the



father of informant alongwith other co-accused out of which the father of the informant died subsequently during course of his treatment at PMCH, Patna.

9. In view of aforesaid factual submission and by taking note of fact as status of informant being an eye witness of the actual occurrence *prima-facie* appears doubtful in terms of facial perusal of FIR, coupled with fact that investigation of this case is already concluded, where petitioner remains in custody since 17.03.2025 with slow progress of trial, accordingly petitioner above named, is directed to be released on bail in connection with Bikram P.S. Case No. 407 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM VI, Danapur /concerned court, subject to the conditions as mentioned under Section 480(3) of BNSS.

(Chandra Shekhar Jha, J.)

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