

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42780 of 2025

Arising Out of PS. Case No.-467 Year-2024 Thana- BHAGWANPUR HAT District- Siwan

1. Raj Kishor Mahto @ Chhotu Mahto, S/O Rajdeo Mahto, Resident of Village- Badkagawn, P.S.- Bhgwanpur Hat, District- Siwan.
2. Sukriya Kumari @ Supriya Kumari, D/O Rajdeo Mahto, Resident of Village- Badkagawn, P.S.- Bhgwanpur Hat, District- Siwan.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Yashwant Kumar Chaman, Advocate
For the Opposite Party	:	Mr. Nand Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 27-08-2025 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners seek bail in connection with Bhagwanpur Hat (Siwan) P.S. Case No. 467 of 2024 dated 12.11.2024 registered for the offences punishable under Sections 103(1) and 61(2) read with Section 3(5) of the B.N.S., 2023.

3. As per the prosecution case, on 11.11.2024 about 3.00 P.M., the dead body of the informant's son, namely, Satish Kumar, was found on the ground of Pawat adjacent to the southern side of railway line. It is further alleged that one month prior to the present occurrence, one Dilip Kumar and others came to the house of the informant and threatened that her son



would be cut and his dead body would be thrown. It is further alleged that one day prior to the present occurrence i.e., 10.11.2024 at about 6.30 P.M., repeated calls were made from someone's mobile to the mobile no. 8603009546 of the son of the informant and thereafter her son went outside the house talking on his mobile. The informant suspected that the person who called on the mobile of his son is Sukriya Kumari (petitioner no. 2). Thereafter, the son of the informant did not come to the house till 9.00 P.M., and thereafter the informant repeatedly called her son on his mobile but could not contact him. The informant started searching for her son from the very morning and also went to the house of Chaukidar and Mukhiya but her son could not be traced out. She suspected that Sukriya Kumari (petitioner no. 2), Rahul Mahto, Chhotu Mahto (petitioner no. 1), Mirhasan and some other persons have killed her son.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is submitted that after investigation, the police has submitted charge sheet against the petitioners only on the basis of the statement of the interested witnesses. It is further submitted that during the course of investigation, no



eye witness has been examined by the police and also no independent witness has come forward before the police to support the prosecution case. The petitioners have no concern with the alleged offence. The petitioners have clean antecedent as stated in paragraph no. 3 of the bail petition. They are in custody in this case since 06.12.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners and has submitted that the petitioners are named in the F.I.R. Learned A.P.P. for the State has further submitted that Raj Kishor Mahto @ Chhotu (petitioner no. 1) in his confessional statement made before the police, which is in paragraph no. 34 of the case diary, has confessed that he alongwith his brother Rahul Mahto have killed the son of the informant by strangulating him and threw his dead body in the Chaud which is situated by the side of the village because he saw his sister Supriya Kumari (petitioner no. 2) in an objectionable condition with the son of the informant (deceased).

6. Considering the aforesaid facts and circumstances of the case and the period of custody, the petitioner no. 2 (Sukriya Kumari @ Supriya Kumari) except petitioner no. 1, Raj Kishor Mahto @ Chhotu Mahto above named, is directed to



be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan, in connection with Bhagwanpur Hat (Siwan) P.S. Case No. 467 of 2024.

7. Further, considering the aforesaid facts and circumstances and the accusation made against the petitioner no. 1, namely, Raj Kishor Mahto @ Chhotu Mahto, this Court is not inclined to grant bail to the petitioner no. 1, namely, Raj Kishor Mahto @ Chhotu Mahto and the same is rejected in connection with Bhagwanpur Hat (Siwan) P.S. Case No. 467 of 2024, pending in the court of learned Chief Judicial Magistrate, Siwan.

8. The application of the petitioner no. 1, namely, Raj Kishor Mahto @ Chhotu Mahto stands rejected.

9. The learned court below is directed to expedite the trial of the petitioner no. 1, namely, Raj Kishor Mahto @ Chhotu Mahto, and conclude the same at the earliest.

U.K./-

U		T	
---	--	---	--

(Chandra Prakash Singh, J)

