

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47447 of 2025

Arising Out of PS. Case No.-112 Year-2023 Thana- RAGHOPUR District- Vaishali

Horil Mahto S/o Bholu Mahto R/o Village- Rustampur, Pan Rasia Tola, P.S.-
Raghopur (Rustampur O.P.) in the District of Vaishali Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Adv
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 31-10-2025 Heard the parties.

2. The petitioner seeks bail in connection with Raghopur (Rustampur O.P.) P.S. Case No. 112 of 2023 registered for the offences under Sections 341, 323, 307, 302 and 34 of the IPC.

3. The petitioner is named in the F.I.R. and is in custody since 26.03.2025.

4. The allegation against the petitioner is to assault father of informant during the occurrence by using iron rod causing head injury which proved fatal. Informant and his brother also received injuries during the occurrence.

5. Learned counsel appearing on behalf of the petitioner submitted that occurrence is free fight in nature and for the same set of occurrence petitioner's side also lodged a Complaint Case No. 1671 of 2023 dated 22.06.2023 before learned CJM, Vaishali at Hajipur. It is also pointed out that allegation of assault is also available against other co-accused persons and in view of same it can be safely said that allegation *qua* physical assault is general and omnibus. While concluding the argument it is submitted that investigation has been completed, for which, charge-sheet has been



submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP duly assisted by learned counsel for the informant, while opposing the prayer for bail submitted that as per FIR the allegation of causing iron rod injury on the head of father of informant is specifically available against this petitioner due to which he died. It is submitted that manner of assault also appears duly corroborated with the finding of post-mortem report. It is also submitted that informant also received injury during the occurrence and, therefore, his version being injured eye-witness cannot be disbelieved.

7. Considering the aforesaid factual submission and by taking note of fact as specific allegation to cause fatal head injury is available against this petitioner, accordingly, prayer for bail of the petitioner is rejected herewith for the present.

8. As petitioner is in custody since 26.03.2025, learned Trial Court is directed to conclude the trial, preferably, within a period of 09 (nine) months from the date of receipt of this order, failing which petitioner may renew his prayer of bail, if so advised.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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