

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46933 of 2025

Arising Out of PS. Case No.-206 Year-2024 Thana- MEDNI CHAUKI District- Lakhisarai

Shambhu Mahto @ Sanjeet Kumar @ Manjo @ Sanjeet Kr. Mahto S/o
Bahadur Mahto R/o vill - Khawa Chandra Tola, P.S. - Mednichowki, Distt-
Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S.K. Lal, Sr. Advocate Mr. Brajesh Sahay, Advocate Ms. Rupa Sinha, Advocate
For the Opposite Party/s	:	Mr. Umesh Prasad, Advocate Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 05-08-2025 Heard Mr. S.K. Lal, learned Senior Advocate,
appearing for the petitioner and learned APP for the State.

2. The petitioner has renewed his prayer for grant of regular bail in connection with S.Tr. No. 143 of 2025 arising out of Medni Chauki P.S. Case No.206 of 2024 registered for the offence under sections 103(1), 238 and 3(5) of the B.N.S, 2023.

3. The allegation in the F.I.R is that the petitioner along with other F.I.R named persons came in the house of the informant and had called her husband and taken him away along with them. It is further alleged that her husband did not come back home then the informant suspected the complicity of all the accused persons in causing his death.



4. It is submitted by learned Senior counsel for the petitioner that earlier prayer for bail of the petitioner was rejected vide order dated 22.05.2025 passed in Cr. Misc. No. 6187 of 2025 giving liberty to the petitioner to renew his prayer after framing of charge. It has been submitted that charge has been framed in the learned Court below on 18.06.2025, which is Annexure-P/3 of the petition. He further submits that confessional statement of co-accused Raja Mahto @Raju Kumar recorded in paragraph no. 9 of the case diary makes it clear that the main allegation of assaulting the deceased is on Rakesh Mahto. It is further submitted that there is a delay of two days in lodging of the F.I.R i.e. occurrence has taken place on 15.09.2024 and the F.I.R has been lodged on 17.09.2024. Other witnesses have been examined during course of investigation who have stated that the deceased was prone to drinking and hence, it is possible that under the influence of liquor he got drowned. Postmortem report would go to show that cause of death of the deceased was due to asphyxia and shock due to antemortem drowning. The petitioner is in custody since 18.09.2024 and undertakes to co-operate in the case/trial.

5. The application for bail is opposed by learned APP for the State.



6. Taking into consideration the above mentioned facts of the case, the petitioner is directed to be enlarged on bail in connection with S.Tr. No. 143 of 2025 arising out of Medni Chauki P.S. Case No.206 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 the learned Addl. Sessions Judge-III, Lakhisarai.

(Soni Shrivastava, J)

Harsh/-

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