

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50424 of 2025

Arising Out of PS. Case No.-122 Year-2005 Thana- BIBHUTIPUR District- Samastipur

Mantun Mahto @ Mantun Sah @ Montun Show Late Brahmdeo Mahto @
Brahmdev Sah @ Ramdeo Show Village- Boriya P.S-Bibhutipur District-
Samastipur, A/P- Village- Joypur Gopmahal Ps- Matiya Dist- North 24
Parganas, W.B.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Pramod Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 15-10-2025 Heard the learned Senior counsel for the petitioner
and Mr. Jharkhandi Upadhyay, the learned APP for the State.

2. The petitioner seeks regular bail in connection with
Bibhutipur P.S. Case No. 122 of 2005 registered for the offence
under Sections 302, 120B, 34 of the Indian Penal Code and
Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and
others are accused of firing at the deceased and killing the
deceased.

4. The learned Senior counsel for the petitioner has
submitted that the Trial has started and two witnesses have been
examined. He further submits that the last witness was



examined in February 2025 and thereafter no witness has been examined. The petitioner is in custody since 02.05.2024. He further submits that since the trial is being delayed, therefore, the petitioner deserves bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail.

6. Since the petitioner is one of the assailants of the deceased, this Court is not inclined to grant regular bail to the petitioner as the trial has started. Accordingly, this application for regular bail stands rejected.

7. The Superintendent of Police, Samastipur is directed to ensure the presence of the witnesses in the trial on the dates fixed.

8. Let a copy of this order be communicated to the Superintendent of Police, Samastipur through FAX for its compliance forthwith.

(Sandeep Kumar, J)

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