

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51387 of 2025

Arising Out of PS. Case No.-325 Year-2021 Thana- TURKAULIYA District- East
Champaran

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Shambhu Mahato S/o Dhari Mahato R/o Village- Semara Belwatiya, P.S.-
Turkauliya, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate
For the Opposite Party/s : Mr. Suresh Pd. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 15-10-2025 Heard Mr. Karandeep Kumar, learned counsel for the
petitioner and Mr. Suresh Pd. Singh, learned APP for the State.

2. Petitioner seeks regular bail in connection with
Turkauliya P.S. Case No. 325 of 2021 dated 15.04.2021
registered for the offences punishable under Sections 447, 302,
323, 354 and 506/34 of the Indian Penal Code.

3. The main submissions advanced by the petitioner's
counsel are that the FIR has been registered against seven
accused persons, including the petitioner, out of whom three
have been granted bail by the co-ordinate Benches of this Court,
and the petitioner has been languishing in jail since 24.03.2025.
It is further submitted that the investigation against him has
been completed and the allegation regarding pressing the neck



of the deceased with a *lathi* is not specific to this petitioner and is general and omnibus in nature, made against all seven named accused persons. There is no specific allegation of repeatedly assaulting the deceased by the named accused, including the petitioner. It is lastly submitted that the petitioner is the own brother of the deceased and due to a land dispute between the prosecution party and the petitioner, he has been falsely implicated in the present matter.

4. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that there is serious allegation against this petitioner and he is named in the FIR and he actively participated in the commission of the alleged occurrence of murder of his own brother.

5. In the facts and circumstances of this case, and mainly considering the privilege of bail having been granted to similarly situated co-accused persons, as mentioned above, by the learned co-ordinate Benches of this Court, and also taking into account the completion of investigation against this petitioner, as well as the fact that the FIR does not reveal any specific role of the petitioner in assaulting the deceased, and the allegation of pressing the informant's husband's neck with a lathi is general and omnibus in nature, in my opinion, it is a fit



case for granting bail to the petitioner. Accordingly, let the petitioner named-above be released 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 the concerned Court in connection with Turkauliya P.S. Case No. 325 of 2021.

(Shailendra Singh, J)

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