

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59100 of 2024

Arising Out of PS. Case No.-164 Year-2021 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Ganga Mahto @ Gango Mahto Son of Lalo Mahto R/o Village- Babhangama,
P.S.- Nawkothi, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bipin Kumar
For the Opposite Party/s : Mr.Dinesh Singh

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 17-03-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Nawkothi P.S. Case No. 164 of 2021 dated 23.11.2021 registered for the offences punishable u/ss 364, 302 and 120B of the Indian Penal Code.

3. As per the prosecution case, the informant's son was kidnapped by some unknown miscreants and after one day his dead body was found in the garden of one Sahdev Singh.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of



the petitioner has sprung up on mere suspicion. There is no eyewitness to the alleged occurrence. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has two criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 03.01.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that as per para 20 of the case diary, it is evident that total six times incoming and outgoing calls were made from the mobile no. 7209114549 to the mobile no. 9334108621 (deceased's mobile number) before the offence and the above said mobile number i.e. 7209114549 was used by the petitioner. The witnesses in their statements have stated that the petitioner called the deceased on phone who along with unknown friends kidnapped the son of the informant and killed him under conspiracy. The petitioner in his confessional statement has stated the *modus operandi* as to how the occurrence took place.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail.

7. The application stands rejected.



8. Learned trial court is directed to expedite the trial
and conclude the same at the earliest.

(Chandra Prakash Singh, J)

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