

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56502 of 2025

Arising Out of PS. Case No.-15 Year-2025 Thana- VIDYAPATINAGAR District- Samastipur

Ram Vinay Mahto @ Ram Vinay Kumar, S/o Dharmesh Mahto @ Dharmesh Kumar, R/o Village- Simari, P.S.- Vidyapatinagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Adv.

Mr. Ashok Kumar, Adv.

For the State : Mrs. Veena Kumari Jaiswal, APP

Mrs. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 12-08-2025

1. Heard Mr. Bijay Bhushan Prasad, learned counsel

for the petitioner and Mrs. Veena Kumari Jaiswal, learned APP
for the State.

2. The petitioner seeks regular bail in connection with Vidyapatinagar P. S. Case No. 15 of 2025, dated 10.02.2025 registered for the offences punishable under Sections 103(1), 238 and 3(5) of the B.N.S.

3. The main submissions advanced by the petitioner's counsel are that as per the prosecution story, this petitioner and co-accused took the victim who was confectioner, on the pretext of making sweets and thereafter, the deceased did not return back and on the next morning, his dead body was found, in fact, the allegation levelled against the petitioner by the informant



with regard to taking the victim along with the co-accused is completely false and during the investigation, none of the independent witnesses claimed to have seen the deceased with the petitioner or going with him during the relevant period of time. It is further submitted that the deceased was an addict of liquor due to which on the fateful night, he met with an accident and suffered some injuries and after his examination by the Doctor concerned, the cause of death could not be ascertained due to which the Viscera of the deceased was sent to F.S.L., Patna for ascertaining the cause of death. It is lastly submitted that the petitioner bears no criminal antecedent and has been languishing in jail since 11.02.2025 and the investigation against him has been completed and the allegation levelled in the FIR against the petitioner by the informant is based only on suspicion. It is further submitted that the FIR itself shows that there was no enmity between the petitioner and the deceased, hence, he had no reason to kill the deceased.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Considering the aforesaid submissions advanced by the petitioner's counsel and mainly the facts that the allegation levelled by the informant against the petitioner regarding his



involvement in killing of her husband is based on solely on the claim that the deceased was last seen in the company of this petitioner however the FIR does not disclose any enmity between the petitioner and the deceased, coupled with the fact that cause of death of the deceased has not been ascertained as stated above due to which Viscera of the deceased has been sent to the F.S.L., Patna and also taking into account the completion of investigation against this petitioner and his fair and clean antecedent, this court is inclined to release him on bail. Accordingly, let the petitioner named-above, be enlarged on bail in connection with Vidyapatnagar P. S. Case No. 15 of 2025 on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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