

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58527 of 2025

Arising Out of PS. Case No.-122 Year-2025 Thana- TEGHRHA District- Begusarai

1. Babloo Mahto @ Bablu Mahto S/o- Late Chalo Mahto Resident of Village- Nawtoliya ward No- 12 PS-Teghra, Dist- Begusarai
2. Ashok Mahto S/o- Late Chalo Mahto Resident of Village- Nawtoliya ward No- 12 PS-Teghra, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amritesh Kumar, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 103(1), 123, 352, 351(2) and 3(5) of B.N.S.

3. The case of the prosecution is that the son of the informant namely Raushan Kumar @ Bambholi was having affair with one Soni Kumari for three years and due to this affair, there was dispute between two families. It is further alleged that Soni used to call the informant's son Raushan due to which his son has blocked her number. It is further alleged that on 26.04.2025 Soni made a call from a mobile of Mantun's



wife but the son of the informant abused her. It is further alleged that the family members including the petitioners threatened him. It is alleged that on that day petitioner Babloo was carrying a pistol. It is further alleged that on 27.04.2025 at around 8-9 AM, the informant's son went to market to get medicines. At around 9-9:30 AM, informant's wife called and told the informant that all the accused persons assaulted and injured the informant's son. He was rushed to the hospital and he succumbed to the injuries in the way.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. Learned counsel for the petitioners has submitted that from perusal of the FIR itself, it is clear that the petitioners have threatened the deceased but from perusal of the FIR, it is clear that no one had seen the occurrence and from perusal of the post-mortem, it is clear that the deceased has received following ante-mortem injuries.

- (i) multiple scratch wound at neck and shoulder
- (ii) hematoma at right temporal region of head.
- (iii) multiple bruise at back.
- (iv) abnormal mobility of neck.

The doctor has opined that the cause of death was due



to neurogenic shock with cardio pulmonary arrest. Learned counsel for the petitioners has submitted that there is no eye witness of the occurrence. The deceased was scolded by his family members and that is why he has either consumed poison or committed suicide. The cause of death also goes to show that there were chances of poisoning. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 28.04.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Teghra P.S. Case No. 122 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai.

(Ashok Kumar Pandey, J)

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