

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**CRIMINAL MISCELLANEOUS No.65972 of 2024**

Arising Out of PS. Case No.-268 Year-2023 Thana- BHAGWANPUR HAT District- Siwan

1. Hansnath Mahato @ Hansnath @ Hasnath Mahato Son of Late Moti Mahto Resident of village - Kauria Tola Liahi, P.S.- Bhagwanpur Hat, District - Siwan.
2. Meghnath @ Meghnath Mahto Son of Late Moti Mahto Resident of village - Kauria Tola Liahi, P.S.- Bhagwanpur Hat, District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                                                                               |
|----------------------|---|-----------------------------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. D. K. Sinha, Sr. Advocate<br>Mr. Ajay Kumar Pandey, Advocate<br>Mr. Ashok Kumar, Advocate |
| For the State        | : | Mr. Jharkhandi Upadhyay, APP                                                                  |

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

4      23-01-2025                      Heard learned senior counsel for the petitioners and learned APP for the State.

2. Supplementary affidavit filed by learned counsel for the petitioners is taken on record.

3. This is the second attempt for bail of the petitioners as earlier such prayer was rejected by order dated 29.02.204 in Cr. Misc. No. 78542 of 2023.

4. The petitioners seek bail in connection with Bhagwanpur Hat P.S. Case No. 268 of 2023 registered for the offence punishable under Sections 341, 323, 337, 338, 447 and 302/34 of the Indian Penal Code.

5. As per the prosecution case, the petitioners and another accused are said to have assaulted the deceased and



killed him.

6. In the postmortem report, the external injuries are abrasion only and some clots have been found and the viscera was preserved. There is no viscera report available before this Court.

7. It has been submitted by learned counsel for the petitioners that there is general and omnibus allegation levelled against them and they are in jail since 18.07.2023. In the trial, out of nine witnesses, four witnesses have been examined.

8. Considering the period of custody and also the fact that there is general and omnibus allegation levelled against the petitioners, this application is allowed.

9. Let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Siwan/concerned Court in connection with Bhagwanpur Hat P.S. Case No. 268 of 2023, subject to the condition that the petitioners will co-operate in the trial.

**(Sandeep Kumar, J)**

P. Kumar

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