

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79070 of 2025

Arising Out of PS. Case No.-516 Year-2023 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Kamlesh Kumar S/O Ram Shakal Mahto R/O Village - Matua, P.S-
Warisnagar, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jainandra Kumar, Advocate
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 14-11-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Samastipur
Muffasil P.S. Case No. 516 of 2023 instituted for the offences
under Sections 302/34 of the Indian Penal Code.

3. The prosecution case, in short, is that the deceased had
married the daughter of one Ram Shakal Mahto in 2019, but she
soon left him and went to her parental home. Later, when the
deceased came to know that she had married another person
namely, Raju Kumar and objected to it, the accused persons,
including her, allegedly killed him and dumped his body near
Dadpur Chaknoor Gurukul School.



4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner except suspicion. There is no eye-witness to the occurrence. As per post-mortem report, anti-mortem injuries were found on the body of the deceased. The inquest report also shows that the deceased was intoxicated. It has been submitted on behalf of the petitioner that the petitioner is in custody since 04.02.2025 and has no criminal antecedent. The co-accused person has already been granted bail by this Court vide order dated 27.01.2025 passed in Cr. Misc. No. 74052 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Samastipur Muffasil
P.S. Case No. 516 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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