

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80564 of 2025

Arising Out of PS. Case No.-125 Year-2025 Thana- CHAORI District- Bhojpur

Surendra Mahto S/o Motilal Mahto R/o Village - Berath, P.S - Chauri, District
- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarendra Kumar, Adv.

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-12-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 105, 238
and 3(5) of the BNS, 2023.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that on 27.09.2025, his son Kundan had gone to his
field, but did not return, on search it transpired that his son died
on account of receiving electric shock by the wire installed in
the field of Baleshwar Mahto and thereafter Baleshwar Mahto
along with the accused persons including the petitioner threw
the dead body in a well.

4. Learned counsel for the petitioner submits that



petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the thrust of the allegation is against Baleshwar Mahto, as it is alleged that the son of the informant died on account of receiving electric shock by wire which was installed in the field of Baleshwar Mahto. It is further submitted that petitioner is not related to Baleshwar Mahto rather is his neighbour. It is next submitted that even presuming what has been alleged is true without admitting in that event petitioner is alleged to have helped Baleshwar Mahto in concealing the dead body which is a bailable offence. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Chauri P.S. Case No. 125 of 2025 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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