

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87096 of 2024

Arising Out of PS. Case No.-5 Year-2024 Thana- HAYAGHAT District- Darbhanga

Shiv Kumar Mahto @ Shiv Kumar Son of Ram Bahadur Mahto Resident of
Village- Nayam, P.S. - Hayaghat, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate
For the Opposite Party/s : Mrs. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 07-04-2025 Heard learned counsel for the petitioner, and

learned APP for the State.

2. The petitioner has prayed for regular bail in a
case registered for the offence punishable under Section
302/34 of the Indian Penal Code.

3. The case of the prosecution is that the petitioner
along with others assaulted the mother of the informant.
There is specific allegation against this petitioner that he
has pressed the neck of informant's mother due to which,
she died. From perusal of the postmortem report, it is clear
that the doctor has found ligature mark over the neck of the
deceased.

4. Learned counsel for the petitioner submits that

the petitioner is having no criminal antecedent and that no witness except informant has supported the case of the prosecution. Moreover, the petitioner is languishing in judicial custody since 14.11.2024.

5. Learned APP for the State has submitted that there is direct allegation against the petitioner and the allegation is substantiated by postmortem report.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case and the gravity of the allegation, this court is not inclined to enlarge the petitioner on bail at this stage, and as such, the prayer for bail is rejected.

7. However, the petitioner is at liberty to renew his prayer for bail after eight months, if the trial is not concluded.

(Ashok Kumar Pandey, J)

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