

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7262 of 2026

Arising Out of PS. Case No.-519 Year-2025 Thana- GORAUL District- Vaishali

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Birendra Kumar Mahto @ Birendra Kumar S/O Mahanth Mahto @ Mahanta Mahto Rresident of village- Ward No.06 Bahadurpur, Post Office,Police Station-Goraul, District- Vaishali. At present resident of village Tripai Road near Power house, Post-Office,Police Station Kalimong, District-Kalimpong (West Bengol) .

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Shrinath Manjhi, Advocate.
For the State	:	Mr. Dr. Indiwari Kumari, A.P.P.
For the Informant	:	Mr. Sharad Kumar Verma, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

- 3 05-05-2026 1. Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the informant.
2. The petitioner apprehends his arrest in connection with Goraul P.S. Case No.519 of 2025 instituted under Sections 103(1), 3(5) of the B.N.S., 2023.
3. As per the prosecution case, on 06.09.2025 co-accused persons namely Sunila Devi and Sannu Devi entered into the house of the informant having armed with various weapons and started abusing and assaulting the mother of the informant. It is alleged that mother of informant is heart patient and due to attack of co-accused persons she died of heart attack and brain injury. Specific allegation against the petitioner is that



he alongwith co-accused Jagdeo Mahto have given instruction for killing of mother of the informant.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case being the nephew of co-accused Sunila Devi. He further submits that there is no specific allegation of assault to the deceased against the petitioner. Learned counsel submits that in the post mortem report, it was found that the deceased was died due to heart attack and, therefore, her death was natural death. He further submits that both the parties are close *agnates* and there is land dispute between them since long due to which, the petitioner has been implicated in this case. Learned counsel submits that petitioner has got clean antecedent and he undertakes to cooperate in the investigation and trial of the case.

5. Learned A.P.P. for the State and learned counsel for the informant oppose the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the nature of allegation leveled against the petitioner as well as his clean antecedent, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/-



(Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Additonal Chief Judicial Magistrate, Vaishali at Hajipur/ concerned Court in connection with Goraul P.S. Case No.519 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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