

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70859 of 2025

Arising Out of PS. Case No.-50 Year-2025 Thana- AMNAUR District- Saran

Awadhesh Mahto S/O Sheo Bacchan Mahto R/o Village- Lachhi Kaituka,
Police Station- Amnour, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avinash Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

4 21-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in Amnour Police Station Case No.50 of 2025, dated 04-03-2025 registered under Sections 103(1), 238 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3.The prosecution case, in short, is that the informant's sister went to her in-laws' house on 02-03-2025 to attend a neighbour's wedding. Thereafter, no one was able to contact her. The informant tried to call her and even her husband, who lives in Africa but could not contact her. Later, when the informant went to her in-laws' house, they told him that his sister had committed suicide and they had already performed her last rites. When the informant objected, the



petitioner and his family members abused him and threatened him. The informant suspects that his sister's in-laws might have killed her and then falsely claimed that she committed suicide. He also stated that the accused had earlier threatened to kill her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that the petitioner is the elder brother of the husband of the deceased and had no direct role in the alleged occurrence. It is further submitted that as recorded in paragraph no. 32 of the case diary, the in-laws of the informant's sister, including the son and daughter of the deceased, namely Ankush Kumar and Sagun Kumari, have stated that on the alleged date of occurrence the petitioner had taken the victim to the hospital for her treatment. This circumstance clearly indicates the absence of any criminal intent on the part of the petitioner. Referring to paragraph no. 6 of the case diary, learned counsel submits that a detailed inspection of the deceased's room was conducted by the Investigating Officer, during which, it was found that the handle of the door of the room was broken from the middle and the lock used to close the door from inside was also broken, which does not directly implicate the petitioner in the alleged offence. It is further



submitted that the husband of the deceased has been residing outside the country in Africa and no complaint or allegation has been made by the children of the deceased against the petitioner. Lastly, learned counsel submits that the petitioner has been in judicial custody since 14.07.2025 and has no criminal antecedents. The charge-sheet in the present case has already been submitted.

5. Learned Additional Public Prosecutor for the State has opposed the prayer.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Saran at Chapra, in Amnour Police Station Case No.50 of 2025.

7. The application stands allowed.

(Khatim Reza, J)

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