

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85680 of 2025

Arising Out of PS. Case No.-122 Year-2024 Thana- ATHMALGOLA District- Patna

Ranjan Mahto Son of Binod Mahto Resident of village- Ram Nagar diyara
Bind Toil, Ps- Athmalgola, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Prasad Singh

For the Opposite Party/s : Mr. Arun Kumar

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 17-03-2026 Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner has prayed for bail in connection with Session Trial No. 1376 of 2024 arising out of Athmalgola P.S. Case No. 122 of 2024 registered for the offence punishable under Sections 328, 201, 34, 304(B) of the Indian Penal Code.

3. The case of the prosecution, in short, is that the petitioner was married to the deceased, namely, Sabnam Devi, three years ago. They also had a daughter out of wedlock with the petitioner. It is further alleged that the deceased was subjected to cruelty on account of non-fulfillment of dowry demand. It is also alleged that the petitioner, along with others, forcefully administered rat killer to the deceased. On 09.04.2024, when the informant reached the matrimonial house



of the deceased, the in-laws and the deceased were not there. The informant believes that the deceased had been killed by administering poison.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He also submits that the stage of trial was called from the learned trial court. From perusal of the report of the learned trial court, it is clear that two accused persons, namely, Laldhari Mahto and Police Mahto were absconding and the trial of this petitioner has been separated. He also submits that the petitioner is languishing in judicial custody since 15.04.2024 and till today no witness has been examined. He further submits that a statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State and submits that from perusal of the post mortem report, it transpires that the same was conducted on 15.04.2024, i.e., after six days of the death of the deceased. Although the doctor has opined that the cause of death is *Asphyxia* due to ante-mortem injuries, it has not been specified what ante-mortem injury was found on the person of the deceased.



Furthermore, the viscera was not preserved as all viscera was decomposed.

6. In any view of the matter, the death has taken place in the matrimonial house. The petitioner is the husband and it is onus upon him to disclose the circumstances under which the deceased died. However, the learned counsel for petitioner has not been able to disclose the same.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is not inclined to enlarge the petitioner on bail at this stage, however, the petitioner will be at liberty to renew his prayer for bail after six months if the trial is not concluded.

8. Learned trial court is directed to conclude the trial within a period of six months and to conduct a calendar trial of this petitioner, so that it may be concluded within six months.

(Ashok Kumar Pandey, J)

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