

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**CRIMINAL MISCELLANEOUS No.83773 of 2025**

Arising Out of PS. Case No.-78 Year-2025 Thana- RAMGARHWA District- East Champaran

Krishna Mahato S/O Sheshnath Mahto R/O Shrikhindi, P.S.- Sugauli, District-  
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Patanjali Rishi, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

4      10-03-2026                      Heard Mr. Patanjali Rishi, learned counsel for the  
petitioner and Mr. Jitendra Kumar Singh, learned Additional  
Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since  
27.03.2025 in connection with Ramgarhwa P.S. Case No. 78 of  
2025, F.I.R. dated 18.03.2025 for the offences punishable under  
Sections 126(2), 118(1), 118(2), 103(1), 3(5) of the B.N.S.,  
2023.

3. According to prosecution case, petitioner and other  
accused person are alleged to have stabbed the daughter of the  
informant 5-6 times with a knife resulting in her death.

4. Learned counsel for the petitioner submits that  
petitioner has clean antecedent and he has falsely been  
implicated in the present case. The allegation as alleged in the



F.I.R is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. It appears from the FIR that the date of occurrence in the FIR is 17.03.2025 but the present FIR has been instituted on 18.03.2025. From bare perusal of the FIR, it appears that after the postmortem, the present FIR was instituted. The postmortem was conducted on 18.03.2025 about 10:15 A.M. and the present FIR was instituted at 7:15 P.M. which suggest that after receiving the postmortem report afterthought the present FIR was instituted only to falsely implicate the petitioner and there is no eye-witness to support the allegation in the FIR against the petitioner and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 27.03.2025.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and the fact that the FIR was instituted after the postmortem and period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the court of learned Sub Divisional Judicial Magistrate, Motihari, East



Champaran/successor court in connection with Ramgarhwa P.S.  
Case No. 78 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

Ranjeet/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

