

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86242 of 2025

Arising Out of PS. Case No.-375 Year-2025 Thana- BIHAR District- Nalanda

1. Tunni Mahto @ Ram Parvesh Mahto @ Parvesh Kumar Son of Late Ganesh Mahto Resident of Village- Kalyanpur, Ps- Bihar, Dist- Nalanda
2. Kundan Kumar son of Tunni Mahto @ Ram Parvesh Mahto @ Parvesh Kumar Resident of Village- Kalyanpur, Ps- Bihar, Dist- Nalanda
3. Krishan Kumar son of Tunni Mahto @ Ram Parvesh Mahto @ parvesh Kumar Resident of Village- Kalyanpur, Ps- Bihar, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sudish Kumar, Advocate
For the Opposite Party/s	:	Mr. Md. Fahimuddin, APP
For the Informant	:	Mr. Pankaj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 30-03-2026 Heard Mr. Sudish Kumar, learned counsel for the petitioners, Mr. Md. Fahimuddin, learned Additional Public Prosecutor for the State and Mr. Pankaj Kumar, learned counsel for the Informant.

2. Petitioners seeks bail in connection with Bihar P.S. Case No. 375 of 2025, F.I.R. dated 17.06.2025 for the offences punishable under Sections 103(1), 3(5) of the Bharatiya Nyay Sanhita, 2023.

3. According to prosecution case, on 17.06.2025, the informant was informed by his cousin on phone that the door of



his house is closed and blood is oozing out from the house. On hearing this, when the informant reached his village, he got informed that two days before all the FIR named accused persons had assaulted his father and threatened him to kill. The informant suspects that the accused persons had killed his father by strangulation.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they falsely been implicated in the present case merely on the basis of suspicion. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R and informant is not the eye witness of the alleged occurrence and even no one has seen the alleged occurrence and except suspicion, no other cogent material has come during investigation which suggest the involvement of the petitioners in the present occurrence. The police after investigation submitted charge-sheet and the petitioner no.1 is in custody since 26.07.2025 and petitioner nos.2 and 3 are in custody since 18.07.2025.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor for the State have vehemently opposed the prayer for bail of the



petitioner.

6. Considering the aforesaid facts and circumstances, petitioners have clean antecedent and except suspicion, no other cogent material has come during investigation which suggest the involvement of the petitioners in the present occurrence, let the petitioners, 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 learned C.J.M., Nalanda in connection with Bihar P.S. Case No. 375 of 2025 subject to the following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for



cancellation of bail bond of the petitioners. 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)

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