

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82 of 2026

Arising Out of PS. Case No.-178 Year-2025 Thana- MADHEPUR District- Madhubani

Dev Narayan Mahto, (M), aged about 51 years, son of Rambahadur Mahto,
R/O Village- Bhit Bhagulanpur, P.S- Madhepur, Dist-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rashmi Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Madhepur PS Case No.178 of 2025 dated 28.09.2025, instituted for the offence punishable under Sections 103(1), 61(2) of the *Bharatiya Nyaya Sanhita*, 2023.

3. The prosecution case, in brief, is that on the alleged date of occurrence, son of the informant had gone to attend natural call but did not return and when the informant went for searching him, he found his son lying in the field in unconscious position. It is alleged that the accused persons named in the FIR had put naked electric wire around their vegetable field in which electric supply was going on and his son came in contact with



the electric wire and died.

4. Learned counsel for the petitioner submits that it is not a case of murder, rather, it is case of accident due to negligence. The son of the informant went to attend natural call and accidentally, he came in contact with the naked wire in the field and due to electric shock he died. It is submitted that the said vegetable field does not belong to the petitioner and he is neighbour of the informant and other accused persons. The petitioner has not done anything. The allegation against the petitioner and others is general and omnibus. There is no specific allegation. Further submission is that the police after investigation has submitted charge-sheet under Sections 105, 61(2) and 3(5) of the *Bharatiya Nayaya Sanhita*, 2023, and not under Section 103(1) of the *Bharatiya Nayaya Sanhita*, 2023. Lastly, it is submitted that the petitioner is in custody since 30.09.2025 having clean antecedents.

5. Learned APP has opposed the prayer for bail.

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 J. M. 1st Class, Jhanjharpur, in



Madhepur PS Case No.178 of 2025.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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