

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.76616 of 2023**

Arising Out of PS. Case No.-881 Year-2023 Thana- KHAGARIA District- Khagaria

Vikki Mahto @ Bikki Mahto @ Vikki Kumar Son of Birendra Mahto  
Resident of Village Malhipur Ward No 11 PS Sahebpur Kamal District  
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Amar Kumar Singh, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

2      04-12-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail in connection with  
Khagaria (Muffasil) P.S. Case No. 881 of 2023 (G.R. No. 2927  
of 2023) instituted for the offences under Sections 414, 379 of  
the Indian Penal Code and Section 25(1-b)a, 26, 35 of the Arms  
Act.

3. As per prosecution case, the police, on receipt of  
secret information started checking of Scorpio vehicle bearing  
Registration No. BR11PB-6839. On query made by the police,  
the driver of the Scorpio disclosed his name as Manish Kumar  
from whose pocket, one live cartridge along with the key of the  
Scorpio was recovered. Besides driver seat, one Vikki Mahto,



the present petitioner, was sitting from whose possession, one loaded Katta and a mobile were seized. One Nitish Kumar was also arrested by the police from whose possession, two live cartridges and a mobile were recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is a student and has a bright carrier in future. He further submits that nothing incriminating has been recovered from the possession of the petitioner and has no concern with the co-accused persons or the recovered vehicle (Scorpio). There is no independent seizure list witness and, thus, there is non-compliance of Section 100 of the Cr.P.C. in preparation of the seizure list. The petitioner has no criminal antecedent as has been stated in paragraph no.3 of the present bail application.

5. The petitioner is languishing in judicial custody since 26.08.2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the entire facts and circumstances of the case as also the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing



bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Khagaria (Muffasil) P.S. Case No. 881 of 2023 (G.R. No. 2927 of 2023).

**(Rudra Prakash Mishra, J)**

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