

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.79817 of 2023**

Arising Out of PS. Case No.-299 Year-2023 Thana- KUMAR KHAND District- Madhepura

SHAILENDRA MAHTO, MALE, AGED ABOUT 58 YEARS, SON OF  
SHIVJEE MAHTO RESIDENT OF VILLAGE - GANGARAHU (BELARI),  
P.S. - KUMARKHAND (BELARI O.P.), DISTRICT - MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Sangeeta Sharma

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND  
MALVIYA**

ORAL ORDER

3      18-03-2024                      Heard learned counsel appearing on behalf  
of the parties.b

2.              The petitioner seeks bail in connection with  
Kumarkhand P.S. Case No.299 of 2023 registered for the  
offence under Sections 365, 384, 307, 504, 506/34 of the Indian  
Penal Code.

3.              Allegation against the petitioner along with  
other co-accused person is to have kidnapped the son of the  
informant and confined in a room and taken away Rs.10,000/-  
and bangles of Rs.20,000/- and it is further alleged that the  
petitioner demanded ransom amount.

4.              Learned counsel appearing on behalf of the  
petitioner has submitted that petitioner has falsely been



implicated in the present case. It is submitted that nothing incriminating surfaced during course of investigation which may connect this petitioner with the present set of occurrence and he has no concern with co-accused, Guddu Mahto, where, petitioner is living separately. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 20.07.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner and submitted that the son of the informant was confined in the house of this petitioner.

6. In view of the allegation, as made above, as it appears from FIR and impugned order that son of the informant was confined by Guddu Mahto and other co-accused in the house of this petitioner, where, this petitioner and other co-accused persons have taken away cash of Rs.10,000/- and bangles of Rs.20,000/- from him and subsequently, at night of alleged day, the victims were brought in nearby orchard by Guddu Mahto and his companion including this petitioner and brutally assaulted the victims with intention to kill them and during that course co-accused, namely, Guddu Mahto also demanded ransom of Rs.40,000/- and also it appears from



perusal of injury report that injuries were found by the doctor upon the body of the injured, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer of bail of the petitioner is rejected herewith.

8. However, learned trial court is directed to conclude the trial within a period of 06 (six) months from the date of framing of charge and learned trial court is also directed to commit the case within a period of 15 days, if not committed. Further, petitioner may be at liberty to renew his prayer for bail before the learned trial court, if the trial could not be concluded within a period of 06 (six) months and trial court would grant the bail in accordance with law.

**(Ramesh Chand Malviya, J)**

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