

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6174 of 2025

Arising Out of PS. Case No.-233 Year-2024 Thana- GWALPARA District- Madhepura

Sanjeev Mahto @ Sanjeev Kumar S/O Janardan Mahto R/o Village- Bhaluahi,
Ward No.- 01, P.S- Gwalpara, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 6269 of 2025

Arising Out of PS. Case No.-233 Year-2024 Thana- GWALPARA District- Madhepura

Janardan Mahto S/O Late Ramroop Mahto R/o Bhaluahi Ward No 01, P.S.-
Gwalpara, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 6643 of 2025

Arising Out of PS. Case No.-233 Year-2024 Thana- GWALPARA District- Madhepura

Rajeev Mahto @ Rajeev Kumar Mahto Son of Janardan Mahto R/o Village-
Bhaluahi, Ward No 01, P.S -Gwalpara, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 6174 of 2025)
For the Petitioner/s : Mr. Pawan Kumar, Advocate
For the State : Mr. Ram Sumiran Rai, APP
(In CRIMINAL MISCELLANEOUS No. 6269 of 2025)
For the Petitioner/s : Mr. Pawan Kumar, Advocate
For the State : Mr. Surendra Kumar, APP
(In CRIMINAL MISCELLANEOUS No. 6643 of 2025)
For the Petitioner/s : Mr. Pawan Kumar, Advocate
For the State : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR



ORAL ORDER

2 19-02-2025 All the three bail petitions arise out of the same police case bearing Gwalpara P.S. Case No. 5115017240233, dated 12.11.2024. Hence, they are being heard together and disposed of by this common order.

2. Heard learned counsel for the petitioners and learned APP for the State.

3. The petitioners seek bail in connection with Gwalpara P.S. Case No. 233 of 2024, dated 12.11.2024 registered for the offences punishable under Sections 109, 3(5) of BNS and Section 27 of the Arms Act.

4. As per allegation, on the order of the petitioner/Janardan Mahto, petitioners/Sanjeev Mahto and Rajeev Mahto have fired at the informant, causing injury to him on the right thigh.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He further submits that the alleged injury is simple in nature and offence to attempt to commit murder is not made out. He further submits that the petitioners have been languishing in jail since 13.11.2024.

6. It has also been stated in paragraph no. 3 of the bail petition that the petitioners have two criminal antecedents.



7. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one.

8. However, learned APP for the State vehemently opposes the prayer of the petitioners for bail.

9. Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioners, above-named, to be enlarged on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Udakishungaj, District - Madhepura in connection with Gwalpara P.S. Case No. 233 of 2024 on the following conditions:

(i) The petitioners will make themselves available for interrogation by a police officer/court as and when required.

(ii) The petitioners will undertake that investigation/trial will not get hampered on account of their absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from



disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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