

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14357 of 2025

Arising Out of PS. Case No.-125 Year-2024 Thana- KINJAR District- Jehanabad

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Kaushal Mahto S/o- Jogendra Mahto @ Yogendra Prasad Singh Village-
Hardia Bedauli Ps- Khirimore Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nishikant

For the Opposite Party/s : Mr.Surendra Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 18-06-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kinjar P.S. Case No. 125/2024 dated 09.09.2020 registered for the offence punishable u/s 103(1) read with Section 3(5) of the B.N.S. and Section 27 of the Arms Act.

3. As per the prosecution case, unknown miscreants are alleged to have shot the elder brother of the informant which resulted to his death.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious



possession of the petitioner. The other co-accused persons have been granted bail by the Co-ordinate Bench of this court *vide* order dated 28.02.2025 passed in Cr. Misc. No. 2582/2025. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in course of investigation. As per para. 36 of the case diary, the co-accused, Md. Sahjad has stated that on 09.09.2024, he conducted recce, while Raju Khan, Juman Khan and Chandrakant Kumar has committed the alleged offence and Shrinath Singh, Kaushal Mahato (petitioner) and Shailesh were ensuring that no police vehicle or any other person approach from the front or behind. The petitioner has two antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 10.09.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that a dispute arose due to Jamharu Jalkar auction, thereafter, a meeting was held in the house of the petitioner where plan was made to commit murder of the deceased. As per the Post Mortem Report, the cause of death is due to firearm injury leading to vital organ damage and complication and finally leading to cardio respiratory arrest.

6. Considering the aforesaid facts and circumstances



of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Arwal, Jehanabad in connection with Kinjar P.S. Case No. 125/2024, with the condition :-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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