

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16622 of 2025**

Arising Out of PS. Case No.-105 Year-2023 Thana- BARGAINIA District- Sitamarhi

Chhote Lal Mahto @ Chhote Mahto @ Dhirendra @ Dhirendra Mahto S/O
Baidhnath Mahato @ Vaidhnath Mahto @ Vaidhyanath Mahto R/O village
-Akhta Nuniya Tola @ Akhtas Nuniyan Tola, P.S. - Suppi, Dist. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Adv.

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

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

ORAL ORDER

2 15-05-2025 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 Baiganiya P.S. Case No. 105 of 2023 dated 27.04.2023 registered for the offences punishable u/ss 399, 402 and 414 of the Indian Penal Code and sections 25(1-B)a, 26 and 35 of the Arms Act.

3. As per the prosecution case, one country made loaded pistol having 315 bore live cartridge was recovered from the possession of the co-accused Avinash Kumar. The co-accused, Faijan Mansuri @ Chhotu was caught red handed with the motorcycle and two pieces of 315 bore live cartridges. It is



further alleged that the petitioner and the other co-accused persons were assembled for making preparation to commit dacoity in the Bandhan Bank.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No incriminating article has been recovered from the conscious possession of the petitioner. The apprehended co-accused persons disclosed the name of the petitioner. The petitioner has no concern with the alleged recovery. The co-accused person has already been granted regular bail by this court vide order dated 03.04.2023 passed in Cr. Misc. No. 77860 of 2023. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 02.09.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

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, Sitamarhi in connection with Baiganiya P.S. Case



No. 105 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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