

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33395 of 2025

Arising Out of PS. Case No.-231 Year-2024 Thana- Ramgarh Chowk District- Lakhisarai

Shambhu Mahto S/o Bineshwar Mahto R/o Village- Naya Tola Simari, P.S.-
Bakhtiyarpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

4 13-08-2025 Heard learned counsel for the petitioner and
learned A.P.P for the State.

2. The petitioner seeks bail in connection with
Ramgarh Chowk P.S. Case No. 231 of 2024 dated
26.12.2024 registered for the offence punishable under
Section 309(4) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that when the
informant was on his way, the unknown miscreants looted
Rs. 20,000/- cash, one mobile phone and an ATM card from
him.

4. Learned Counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in



this case. It is submitted that the F.I.R. has been lodged against the driver of Alto car bearing Reg. No. BR01BD0647 and three unknown persons. It is submitted that four accused persons including the petitioner were arrested by the police from the aforesaid vehicle. It is submitted that no incriminating articles have been recovered from the possession of the petitioner. It is submitted that similarly situated persons, namely, Devanand Kumar and Lalu Paswan @ Lalu Kumar @ Lallu Kumar have been granted bail *vide* Criminal Miscellaneous Nos. 21722 of 2025 and 38273 of 2025 by a co-ordinate Bench of this Court. Lastly, it has been submitted that the petitioner is in custody since 28.12.2024, having four criminal cases against him and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State opposes the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties



of the like amount each to the satisfaction of the learned C.J.M., Lakhisarai in connection with Ramgarh Chowk P.S. Case No. 231 of 2024, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

5. The petitioner within two weeks of his release from custody shall appear before the S.H.O. of his local area alongwith a copy of this



order and shall appear every fortnightly to mark
his attendance till the framing of charge in this
case.

(Khatim Reza, J)

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