

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31773 of 2025

Arising Out of PS. Case No.-331 Year-2024 Thana- BALIYA District- Begusarai

1.

ANGAD MAHTO @ ANGAD KUMAR MAHTO S/o GANESH MAHTO
R/o vill - Fatehpur, P.S.- Balia, Distt.- Begusarai
2.

Mohan Yadav @ Aman Kumar Yadav S/o Baleshwar Yadav R/o vill -
Fatehpur, P.S.- Balia, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Singh, Advocate
For the Opposite Party/s : Mr.Raj Kishor Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 19-05-2025 Heard learned counsel for the petitioners and the
learned Additional Public Prosecutor for the State.

2. The petitioners seek regular bail in connection with
Ballia P.S. Case No. 331 of 2024 registered for the offences
punishable under Sections 109(1), 118(2), 3(5) of B.N.S. and 27
of Arms Act.

3. The prosecution case is to the effect that the
informant came to know that some persons had come from
Balachak and they have informed that the brother of the
informant sustained firearm injury on his chest. It was further
informed that a dispute arose between Mohan Yadav (Petitioner
No. 2) and Karul Kumar near the sweet shop in which there was



a cross firing between two groups and the other petitioner i.e. Angad Mahto (Petitioner No. 1) was also involved in the exchange of firing. The informant has alleged that his brother Devdutta Kumar was hit by bullet during such firing between two groups.

4. The Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case and no specific allegation of assault has been leveled against the petitioners. It has been stated that there is general and omnibus allegation of firing from two groups. It has also been submitted that during the investigation several witnesses have stated that due to the darkness no person could be identified who were involved in the firing. It has also been submitted by the learned counsel that the injured Devdutta Kumar was also examined by the Investigating Officer and the said injured has also not named the petitioner or anybody else to be involved in the alleged incident. Lastly, it has been submitted that the petitioner no. 1 has clean antecedent, however, the petitioner no. 2 has four criminal antecedents but all the said cases are under the Bihar Prohibition and Excise Act and the petitioner no. 1 is in custody since 07.02.2025 and petitioner no. 2 is in custody since 27.02.2025.



5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioners and has stated that the petitioners are named in the FIR and are alleged to have fired and caused injury to the brother of the informant.

6. Considering the aforesaid submissions made by the parties and taking into account the fact that the allegations are general and omnibus in nature and no specific allegation has been attributed against any of the petitioners and also taking into account the period of custody, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate First Class-cum-A.M., Begusarai in connection with Ballia P.S. Case No. 331 of 2024, subject to the following conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to



be canceled by the Court concerned.

(iv) And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for the purpose of or in the name of verification.

(Sourendra Pandey, J)

amitkr/-

U			
---	--	--	--

