

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36575 of 2025

Arising Out of PS. Case No.-152 Year-2025 Thana- LALGANJ District- Vaishali

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Jagdish Mahto @ Jagdish Mahato S/o Late Suraj Mahto R/o Village-
Chimnapur, P.S.- Lalganj, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Bela Singh, Adv

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

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 28-05-2025 Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner makes a prayer for grant of regular
bail in a case registered for the offences punishable under
Sections 319(2), 318(4), 316(5), 61(2), 3(5) of the BNSS Act.

3. The prosecution case in the FIR is that some
people were illegally running the Revenue Staff Office in
village Repura and upon such information, the authorities along
with the police officer conducted a surprise checking, at the
house of Sanjay Prasad Singh and found 7 to 8 persons present
in the office, which was being run illegally with the computer
operator, laptop, UPS, chair, table etc. Upon search of the room
99 *Kewala* documents and other documents were recovered
from the place of occurrence.



4. Learned counsel for the petitioner submits that the allegation upon the petitioner is that he was present at the place of occurrence and he appeared to be a middle man, who was actively involved in the office works, which was being conducted illegally in the house of Sanjay Prasad Singh. However, it is submitted that the petitioner was not a middle man and rather he had come for his own work to the said office for applying for mutation for his newly purchased plot, registered sale deed number- 791 dated 25.01.2025. The said fact would be substantiated by the seizure list attached to the FIR from item no. 12 thereof, which shows the name of the petitioner in the said deed.

5. It has been submitted by the learned counsel for the petitioner that all the persons who had come to the said office for their own work had been let off after inquiry, and the petitioner has been made accused in the present case. However, the petitioner was made an accused along with Sanjay Prasad Singh and Praveen Kumar, who was sitting on the laptop on the ground that he was also involved in the said office and the reference was made to some whatsapp chat between the petitioner and Sanjay Prasad Singh. It has further been submitted in this context that whatever chat has been found is



with respect to the mutation of the petitioner's own land and he was neither a middle man nor he was actively involved in the running of the illegal Revenue office in the house of Sanjay Prasad Singh. The petitioner is in custody since 28.03.2025

6. The learned APP opposes the prayer for bail on the ground that the petitioner also has one criminal antecedent. However, it is submitted that the petitioner is on bail in the said case.

7. Considering the aforesaid facts and circumstances , let the above named petitioner shall be enlarged on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/ successor court in Lalganj P.S. Case No. 152 of 2025.

8. It is however directed that the petitioner shall co-operate in the trial and shall remain present on each and every date fixed by the trial court till framing of charge. In case of default in such appearance on two consecutive dates, without sufficient reasons, the trial court shall have liberty to cancel the bail bonds of the petitioner.

N.K/-

(Soni Shrivastava, J)

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