IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50328 of 2025

Arising Out of PS. Case No.-126 Year-2024 Thana- Mufassil District- Khagaria

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Teetu Mahto @ Pittu Mahto @ Pittoo Kumar S/O Ram Das Mahto Village-Chandi, Mahto tola, Tikarampur, P.S.- Muffasil, Dist.- Munger.

... ... Petitioner/s

Versus

The State of Bihar Patna

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Manish Kumar Singh, Adv.
For the Opposite Party/s : Mr. Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

4 19-12-2025 Heard the learned counsel for the parties.

2. The petitioner apprehends his arrest for the offences alleged under Sections 191(2), 191(3), 190, 127(2), 115(2), 109, 352, 351 (2) & (3), 3 (5) of the BNS and Section 27 of the Arms Act with Sections 130(1) and 61(2) of the BNS being subsequently added, registered in connection with Muffasil P.S.Case No. 126 of 2024.

3. The informant, Anita Devi says in her fardbayan that on 28.09.2024, the accused persons, named in the FIR, surrounded her Devar Jatadhari Mahto and opened indiscriminate fire. Her Devar died in course of treatment.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated.

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The investigating authorities submitted charge-sheet against co-accused Bindul Mahto keeping the investigation pending against other co-accused persons, including the petitioner. The co-accused Bindul Mahto was put on trial and was acquitted by the learned trial court, vide judgment and order dated 12.09.2025 in S.T.No. 268 of 2025. The co-accused Indal Mahto on similar footing has been granted anticipatory bail by this court vide order dated 24-09-2025 passed in Cr. Misc. No. 20907 of 2025 whereas the one, Butani Mahto has been granted anticipatory bail by a co-ordinate bench of this court by order dated 18-11-2025 passed in Cr. Misc. No.75644 of 2025.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the above facts and circumstances, let the petitioner above-named, in the event of his arrest or surrender within four weeks from the date of communication of this order, 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 learned Chief Judicial Magistrate Khagaria in connection with Muffasil P.S.Case No. 126 of 2024, subject to the conditions as laid down under Section 438(2) CrPC/482(2) of the BNSS, 2023 **with further condition that**

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petitioner shall cooperate in the disposal of trial and make himself available on each and every date fixed by the court below, and if he fails to appear on two consecutive dates, unless he is prevented by extremely adverse circumstances, the court below shall be at liberty to cancel his bail bond.

(Nawneet Kumar Pandey, J)

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