

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65143 of 2025

Arising Out of PS. Case No.-222 Year-2024 Thana- MALI District- Aurangabad

Mantu Yadav @ Pintu Kumar, Male, aged about 25 years, Son of Late Sanesh Yadav, Resident of Village - Ankoraha, P.S. - NTPC Khaira, District -Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Lalbahadur Singh, Advocate
For the Opposite Party : Mr. Rajesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-11-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Mali P.S. Case No. 222 of 2024 dated 01.12.2024 registered for the offences punishable under Sections 103(1), 61(2) read with Section 3(5) of the I.P.C. and Section 27 of the Arms Act.

3. As per the prosecution case, on 30.11.2024 at about 11.00 A.M., the informant alongwith his father, namely, Sanjay Kumar Singh, was going on a four wheeler vehicle and at about 6.15 P.M., they reached near Sonaura Pool, three persons riding on a motorcycle came there and asked from his father about 'what happened ?'. In the meantime, three persons riding on an



Apache Motorcycle also came there and the pillion rider opened fire on the head of the informant's father leading to his death on the spot. In the light of vehicle's indicator, the informant identified the persons who opened fire on his father as Rakesh Giri and Mantu Yadav (petitioner) who was sitting with him and the persons who were sitting on another motorcycle as Kamlesh Mehta and Sanjay Giri. The drivers of both the motorcycles were wearing Helmet as such they could not be identified. Rakesh Giri said to the informant that 'Bole The Na Khoon Ka Aashu Rona Hoga.' then the informant in order to save his life ran away towards a paddy field after opening the door of the vehicle and the accused persons opened fire thrice on him.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that there is specific allegation of firing against the co-accused Rakesh Giri. The petitioner is said to be a pillion rider and he has not opened fire. It is further submitted that during the course of investigation, police found the mobile location of the petitioner at his home at the time of the alleged occurrence not near the place of occurrence. It is further submitted that except the confessional statement of the co-accused there is no substantive evidence to suggest the



implication of the petitioner in the present case. There is village enmity and political rivalry between the parties. The informant's family and the family of the petitioner have been involved in a dispute related to the Mukhiya and PACS Elections, where the informant's family was in direct competition with the supporters of the petitioner. It is further submitted that the other co-accused person, namely, Kamendra Kumar Singh, has already been granted bail by a Bench of this Court in Cr. Misc.No. 19270 of 2025 vide order dated 16.07.2025, annexed as Annexure-P/3 to the present bail petition. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 25.07.2025.

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 District and Additional Sessions Judge-IX, Aurangabad, Bihar in connection with Mali P.S. Case No. 222 of 2024 with further condition:-

(I) The petitioner is directed to remain



physically present before the learned court
below on each and every date, failing which
on two consecutive dates without reasonable
cause, the bail bonds of the petitioner are
liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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