

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61785 of 2025

Arising Out of PS. Case No.-50 Year-2025 Thana- KHAJEKALA District- Patna

Sahil Kumar Ram Nath Mahto R/O Mohalla- Lala Toli, P.S.- Khajekalan,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 30-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with GR No. 868 of 2025 arising out of Khajekalan P.S. Case No. 50 of 2025 instituted for the offences under Sections 109, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. Prosecution case, in short, is that on 09.02.2025, the accused persons including the petitioner abused and assaulted the informant's brothers, namely, Arvind and Ravindra. Later, at 7:30 PM, the accused persons returned with arms and on co-accused Raju's order, the petitioner shot the Arvind on the arm.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case.



Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. The only specific allegation against the petitioner is that he fired upon one Arvind on his arm. Charge-sheet has been submitted in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.02.2025 and has no criminal antecedent. The co-accused person has already been granted bail by this Court vide order dated 06.08.2025 passed in Cr. Misc. No. 48612 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with GR No. 868 of 2025 arising out of Khajekalan P.S. Case No. 50 of 2025, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) 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.

(Rudra Prakash Mishra, J)

Alok Verma/-

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