

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71421 of 2025

Arising Out of PS. Case No.-125 Year-2025 Thana- RUNISAIDPUR District- Sitamarhi

Indal Mahto @ Indal Kumar S/o Devnandan Mahto R/o Village - Sumhuti,
P.S - Gadha, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 31-10-2025 Heard the learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

2. Petitioner, who is in custody, seeks bail in connection with Runnisaidpur P.S. Case No. 125 of 2025 registered for the offences punishable under Sections 103 of the BNSS and under Section 27 of the Arms Act.

3. As per the prosecution case, the informant alleged that his daughter Sangeeta Devi was married to Pankaj Kumar and he came to know that she had been shot dead by the said Pankaj Kumar.

4. The learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. It is submitted that petitioner is neither named in the FIR nor any incriminating article has been recovered from the



conscious possession of the petitioner and merely on the basis of confessional statement of the co-accused Pankaj Kumar that the arms which was used in killing the deceased was supplied by this petitioner, the petitioner has been made accused in this case. It is submitted that there is no allegation that the petitioner was hand in gloves with the co-accused Pankaj Kumar in committing the said crime. In fact during course of investigation as it would be clear from the perusal of the impugned order, a statement has been made by one of the witnesses that the petitioner used to keep his arms with Pankaj Kumar. It is submitted that co-accused Sudodh Kumar has already been granted the privilege of anticipatory bail by a co-ordinate Bench of this Hon'ble Court vide order dated 14.10.2025 passed in Cr. Misc. No. 71946 of 2025. It is lastly been submitted that there is one criminal antecedent of the petitioner and he is in custody since 07.06.2025.

5. The learned A.P.P. has vehemently opposed the prayer for bail and has submitted that it was the petitioner who had supplied the arms to Pankaj Kumar. Hence, he does not deserve bail.

6. Considering the aforesaid submissions made by the parties, let the petitioner, 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 court below where the case is pending/successor court in connection with Runnisaidpur P.S. Case No. 125 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(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 cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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 purpose of or in the name of verification.

7. Accordingly, the prayer for bail is allowed.



8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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