

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79846 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- Shahpur P.S. District- Nawada

1. Bhim Kumar Mahto @ Guddu @ Sanjiv @ Sanjiv Kumar Son of Naresh Mahto @ Naresh Prasad R/o Dargahi Tola, P.S. - Pandarak, Dist. - Patna.
2. Gyan Raj S/o Dinesh Sao R/o Mohalla - Balwa, P.S - Ghoswari, Dist. - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 21-11-2025 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Shahpur P.S. Case No. 35 of 2025 instituted for the offences under Sections 310(4), 310(5), 111(3) of the Bharatiya Nyaya Sanhita and 25(1-b)a, 26, 35 of the Arms Act.

3. Prosecution story, in short, is that the police received secret information about suspicious persons in a black Hyundai car and apprehended the accused persons near Parbati canal. During search, arms, ammunition, cash, and mobiles were recovered from the accused persons, and they allegedly confessed that they had gathered there to execute a planned loot.



4. Learned counsel for the petitioners submitted that petitioners have falsely been implicated in the present case. Learned counsel for the petitioners submitted that general and omnibus allegation has been made against these petitioners. No specific overt act is alleged against these petitioners. Learned counsel further submitted that there is no recovery of arms and ammunition from petitioner no. 2 and so far as petitioner no. 1 is concerned, it is alleged that two mobile phones, cash amounting to Rs. 10,635/-, one country-made pistol with a magazine containing eight live cartridges and another magazine loaded with six live cartridges were recovered from him. Learned counsel further submitted that petitioners have no concern with the allegedly recovered arms and ammunitions. It has been submitted on behalf of the petitioners that the petitioners are in custody since 11.04.2025 and have three criminal antecedents.

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

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

7. Let the petitioners be released on bail, *after framing of charge, if not already framed*, on furnishing bail



bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Shahpur P.S. Case No. 35 of 2025, subject to the following conditions:

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

(II) The petitioners 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 petitioners.

(III) If the petitioners tamper 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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