

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85045 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- CHERIYA BARIYARPUR District-
Begusarai

Nagmani Mahto S/o Jay Prakash Mahto Resident of Vill- Kumbhi Patolia
Dera, P.S. - Cheriya Bariyarpur, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 85755 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- CHERIYA BARIYARPUR District-
Begusarai

Raja Kumar S/o- Sanjay Jayswal @ Sanjay Choudhari Resident of village-
Bariyarpur West PS-Khodawandpur District- Begusarai Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 86315 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- CHERIYA BARIYARPUR District-
Begusarai

Nitesh Kumar @ Aryan Kumar Singh @ Nitish Kumar Son of Ram Jeevan
Mahto Resident of Village- Chakwa, P.S.- Khodawandpur, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 85045 of 2024)
For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, A.P.P.
(In CRIMINAL MISCELLANEOUS No. 85755 of 2024)
For the Petitioner/s : Mr. Bhubneshwar Mahto, Advocate
For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, A.P.P.
(In CRIMINAL MISCELLANEOUS No. 86315 of 2024)
For the Petitioner/s : Mrs. Namita Sharma, Advocate
Mr. Anshu Dhar Sharma, Advocate



For the State : Mr. Anant Kumar 1, A.P.P.
For the Informant : Mr. Adarsh, Advocate
Mr. Uday Kumar Choudhary, Advocate

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 14-02-2025 Heard learned Counsels' for the petitioners as well as
learned APP for the State.

2. In this case, the petitioners are seeking regular bail in connection with Cheriya Bariyarpur P.S. Case No. 40 of 2024 registered for the offences punishable under Sections 307 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per allegation, the informant along with his sons was returning to his home by *Scorpio* vehicle. In the way, the accused persons including the petitioners started chasing and firing upon them with intention to kill.

4. Learned Counsels' for the petitioners have submitted that the petitioners are innocent and have falsely been implicated. It is true that they have a criminal history but in the present case, nothing emerged against them during investigation. The allegation is falsified itself because there is allegation of indiscriminate firing but none has suffered any kind of injuries. The petitioner, namely, Nagmani Mahto is under custody since 03.07.2024 and the petitioners, namely, Raja Kumar and Nitesh Kumar @ Aryan Kumar Singh @ Nitish



Kumar are under custody since 02.07.2024.

5. On the other hand, the learned APP for the State opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances, let the petitioners above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Mahnjhaul, Begusarai in connection with Cheriya Bariyarpur P.S. Case No. 40 of 2024, subject to the following condition that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

7. Before accepting the bail bond of the petitioners, the learned court below shall verify their criminal antecedents and if it is found that they are involved in any other case except those which have been mentioned in paragraph number-3 of their respective bail petitions, their bail bond shall not be accepted.

(Nawneet Kumar Pandey, J)

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