

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83399 of 2024

Arising Out of PS. Case No.-235 Year-2024 Thana- DALSINGHSARAI District- Samastipur

Vijay Kumar Son of Ram Shankar Mahto @ Ram Shankar Arya Resident of
Village - Pachpaika , Police Station - Ujiyarpur , District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 84811 of 2024

Arising Out of PS. Case No.-235 Year-2024 Thana- DALSINGHSARAI District- Samastipur

Raj Kumar Singh @ Raj Kumar Son of Late Shivji Singh @ Late Shivjee
Mahto Resident of Village - Chandchaur, P.S. - Ujiyarpur, District -
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 85195 of 2024

Arising Out of PS. Case No.-235 Year-2024 Thana- DALSINGHSARAI District- Samastipur

1. Manish Kumar Son of Dhaneshwar Mahto @ Dhaneswer Mahto Resident of
village - Mokhtiyarpur Salkhani , Police Station - Daslinghsarai , District -
Samastipur
2. Guddu Kumar @ Pinku Son of Dhaneshwar Mahto @ Dhaneswer Mahto
Resident of village - Mokhtiyarpur Salkhani , Police Station -
Daslinghsarai , District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 83399 of 2024)
For the Petitioner/s : Mr. Mahendra Pratap, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar , APP
(In CRIMINAL MISCELLANEOUS No. 84811 of 2024)
For the Petitioner/s : Mr. Ajay Kumar Thakur , Advocate



Mr. Ritwik Thakur , Advocate
Mrs. Vaishnavi Singh, Advocate
For the Opposite Party/s : Mr. Md. Aslam Ansari , APP
(In CRIMINAL MISCELLANEOUS No. 85195 of 2024)
For the Petitioner/s : Mr. Mahendra Pratap, Advocate
For the Opposite Party/s : Mr. Mohammed Arif , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-05-2025

Reg:- Cr. Misc. No. 83399 of 2024

Heard learned counsel for the petitioner and the State .

2. Petitioner seeks regular bail in a case registered for the offence punishable under section 191(2), 191(3), 190, 103 of the Bhartiya Nyaya Sanhita and Section 27 of the Arms Act.

3 . As per F.I.R., informant alleges that on 22.07.2024 her husband had gone to Civil Court, Dalsingsarai for some work and as he reached near Dainy Chowk, accused persons including these petitioners came upon their motorcycles and surrounded the husband of informant. It is alleged that everyone fired from their pistol and shot dead husband of informant. It is alleged that altercation was result of previous dispute .

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence as alleged. Informant is neither eye witness to the alleged occurrence nor she disclosed on what basis she came to know about the name of accused persons who were involved in the alleged occurrence . As a matter of fact, son of co-accused



Dhaneshwar Mato was killed for which Ujiyarpur P S Case No. 434 of 2023 was lodged in which deceased and informant were accused and thus there was enmity between deceased and his step brother and petitioner has got no concern with the co-accused Dhaneshwar Mahto but due to village politics, the name of petitioner has been dragged in this case . Petitioner is in custody since 05.08.2024 .

5 . Learned counsel for the State opposed the prayer for bail and submitted that petitioner is named in the F.I.R. with specific accusation that he alongwith others shot dead husband of the informant. During investigation, some of the witnesses have claimed to be eyewitness to the occurrence and named this petitioner, as one who also participated and this petitioner along with other co-accused persons shot dead the husband of informant. Petitioner has got eight criminal antecedents.

6. Considering the nature of accusation , material available on record, criminal antecedents and gravity of offence , I am not inclined to interfere with the order impugned and as such , prayer for regular bail of the petitioner is rejected.

Reg:- Cr. Misc. No. 85195 of 2024

Heard learned counsel for the petitioners and the State .



2. Petitioners seek regular bail in a case registered for the offence punishable under section 191(2), 191(3), 190, 103 of the Bhartiya Nyaya Sanhita and Section 27 of the Arms Act.

3 . As per F.I.R., informant alleges that on 22.07.2024 her husband had gone to Civil Court, Dalsingsarai for some work and as he reached near Dainy Chowk, accused persons including these petitioners came upon their motorcycles and surrounded the husband of informant. It is alleged that everyone fired from their pistol and shot dead husband of informant. It is alleged that altercation was result of previous dispute .

4. Learned counsel for the petitioner submits that petitioners are quite innocent and have committed no offence as alleged. Informant is neither eye witness to the alleged occurrence nor she disclosed on what basis she came to know about the name of accused persons who were involved in the alleged occurrence . As a matter of fact, son of co-accused Dhaneshwar Mato was killed for which Ujiyarpur P S Case No. 434 of 2023 was lodged in which deceased and informant were accused and thus there was enmity between deceased and his step brother and petitioners have got no concern with the co-



accused Dhaneshwar Mahto but due to village politics, the name of petitioners have been dragged in this case . Petitioners are in custody since 09.08.2024 .

5 . Learned counsel for the State opposed the prayer for bail and submitted that petitioner is named in the F.I.R. with specific accusation that he alongwith others shot dead husband of the informant. During investigation, some of the witnesses have claimed to be eyewitness to the occurrence and named this petitioner, as participant and this petitioner along with other co-accused persons shot dead the husband of informant. Petitioners have got two criminal antecedents.

6. Considering the nature of accusation , material available on record, criminal antecedents and gravity of offence , I am not inclined to interfere with the order impugned and as such , prayer for regular bail of the petitioner is rejected.

Reg:- Cr. Misc. No. 84811 of 2024

Heard learned counsel for the petitioner and the State .

2. Petitioner seeks regular bail in a case registered for the offence punishable under section 191(2), 191(3), 190, 103 of the Bhartiya Nyaya Sanhita and Section 27 of the Arms Act.

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work and as he reached near Dainy Chowk, accused persons including these petitioners came upon their motorcycles and surrounded the husband of informant. It is alleged that everyone fired from their pistol and shot dead husband of informant. It is alleged that altercation was result of previous dispute .

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5 . Learned counsel for the State opposed the prayer for bail and submitted that petitioner is named in the F.I.R. with specific accusation that he alongwith others shot dead husband of the informant. During investigation, some of the witnesses



have claimed to be eyewitness to the occurrence and named this petitioner, as one of the participant and this petitioner along with other co-accused persons shot dead the husband of informant. Petitioner has got five criminal antecedents.

6. Considering the nature of accusation , material available on record, criminal antecedents and gravity of offence , I am not inclined to interfere with the order impugned and as such , prayer for regular bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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