

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9645 of 2026

Arising Out of PS. Case No.-229 Year-2025 Thana- ROSERA District- Samastipur

Bablu Mahto @ Bablu Kumar Mahto S/o Jay Narayan Mahto Resident of vill-
Bataha, P.S- Rosera, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sadanand Roy, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 24-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in connection with Rosera P.S. Case No. 229 of 2025 instituted for the offences punishable under Sections 109, 308(4), 61(2), 3(5) of the Bharatiya Nyaya Sanhita and Section 27 of the Arms Act.

3. The allegation against the petitioner is that he is the conspirator and had used the named co-accused persons to fire upon the informant, who received one firearm injury.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated and it has been admitted in the FIR that there is a previous rivalry between the parties. It has further been submitted that on account of suspicion the



name of the petitioner has transpired without any evidence to connect the petitioner with the same. It has further been submitted that no incriminating article has been recovered from the possession of the petitioner and no independent witness has come forward to support the contentions made in the FIR. It has next been submitted that the informant has specifically submitted that along with the petitioner there were two other persons who were involved in conspiracy. It has lastly been submitted that the petitioner has clean antecedent.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the facts aforesaid, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1, Rosera, Samastipur in connection with Rosera P.S. Case No. 229 of 2025, subject to the conditions as laid down under Section 482 of the BNSS and subject to the following conditions:-

(i) One of the bailors will be a close



relative of the petitioner and the other shall be a local resident:

(ii) the petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court;

(iii) in case of absence on two consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will liable to be cancelled by the Court concerned;

(iv) the 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 bonds of the petitioner. However, the acceptance of bail bonds in terms of the above mentioned order shall not be delayed for purpose of the same on in the name of verification.

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

(Sourendra Pandey, J)

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