

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41525 of 2026

Arising Out of PS. Case No.-120 Year-2025 Thana- ROSERA District- Samastipur

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Ajay Kumar Mahto @ Ajay Kumar S/O Jogindra Mahto @ Yogendra Mahto
R/O Village - Batha, P.S- Rosera, District - Samastipur Bihar

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhav Kumar

For the Opposite Party/s : Mr.Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 30-06-2026 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with
Rosera P.S. Case No. 126(2), 249, 109(1), 61(2), 351(2), 3(5) of
the BNS and under Section 27 of the Arms Act.

3. As per the prosecution case, the informant has
alleged that when he was going to Rosera the accused persons
tried to stop his motorcycle and when the informant tried to flee
away, the accused persons have fired upon him.

4. The petitioner is in custody since 16.01.2026.

5. Learned counsel for the petitioner submits that
the petitioner has falsely been implicated in this case because of
village politics. He next submits that one co-accused namely
Prabhat Kumar Mahto @ Pintu has been granted bail by the



Court below and therefore the petitioner deserves bail on the ground of parity.

6. Learned APP for the State has opposed the application of the petitioner and has submitted that the petitioner has three criminal antecedents also including one case bearing Rosera P.S. Case No. 93 of 2025 which was registered for threatening the prosecution. It is also alleged in the FIR that the prosecution was threatened by the criminals who were in Howrah Jail and the threat was given to the prosecution for stopping them to depose in the connected Sessions Trial.

7. Considering the fact that the accused persons are repeatedly threatening the prosecution for stopping them from deposing in connected sessions trial, this Court is not inclined to grant bail to the petitioner.

8. Accordingly, this application is dismissed.

9. In the opinion of this Court, the bail granted to the co-accused Prabhat Kumar Mahto @ Pintu vide order dated 9.6.2025 passed in B.P. No. 689 of 2025 deserves to be looked into by this Court as the allegations are serious in nature.

10. In these circumstances, the office is directed to register a separate bail cancellation application arising out of order dated 9.6.2025 passed in B.P. No. 689 of 2025 by District



and Additional Sessions Judge-1, Rosera, Samastipur and list the same before the appropriate Bench.

11. The Superintendent of Police, Samastipur is also directed to examine the records of the case and he will file a report before the next date of hearing as to whether offences under Section 111 of the BNS is made out against the accused persons of this Case or not. If the offence under Section 111 of the BNS is made out against the accused persons of this case then appropriate steps shall be taken by the Superintendent of Police, Samastipur in this regard.

12. List this case after two weeks under the heading “For Orders” for considering the report of the Superintendent of Police, Samastipur.

13. Let a copy of this order be communicated to the Superintendent of Police, Samastipur through FAX for its compliance.

(Sandeep Kumar, J)

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