

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48156 of 2025

Arising Out of PS. Case No.-28 Year-2020 Thana- BALIYA District- Begusarai

Nandkishore Mahto Son of Ghogo Mahto @ Ghogal R/o Village - Paharpur,
P.S.- Ballia, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohit Shrivastava, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

6 19-01-2026 Heard Mr. Mohit Shrivastava, learned counsel for the
petitioner and Mr. Choubey Jawahar, learned APP for the State.

2. The petitioner has prayed for bail in connection with
Ballia P.S. Case No. 28 of 2020/G.R. No. 305 of 2020 registered
for the offence punishable under Sections 302, 307, 120(B) read
with Section 34 of the Indian Penal Code and Section 27 of the
Arms Act.

3. The case of the prosecution in short is that the
petitioner has given a gunshot in the head of the informant's
husband from a blank range. The post mortem report also goes to
show that the deceased has head injuries.

4. Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this case. Learned



counsel for the petitioner submits that in this case, the stage of trial from the learned trial court was called and from the perusal of the learned trial court's order, it is clear that the case is fixed on the point of hearing on charge. He also submits that the charge-sheet has not been framed. He further submits that the petitioner is languishing in judicial custody since 06.05.2024.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner is having criminal antecedent of fourteen cases. It is also stated that the petitioner is the main assailant in this case.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, as the petitioner is the main assailant, this Court is not inclined to enlarge the petitioner on bail at this stage, however, the petitioner will be at liberty to renew his prayer for bail after six months if the trial is not concluded.

7. Learned trial court is directed to take every steps so that the case may be disposed of within the said period.

8. Accordingly, the bail petition of the petitioner stands rejected.

(Ashok Kumar Pandey, J)

Sudhanshu/-

U		T	
---	--	---	--

