

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 63468 of 2025

Arising Out of PS. Case No.-22 Year-2025 Thana- KOILWAR District- Bhojpur

Satya Prakash Mahto @ Kariya Mahto S/o- Kamta Prasad Village- Ibrahim
Nagar Ps- Ara Nagar Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Kumar Mishra

For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 05-02-2026 Heard the parties.

2. The petitioner seeks bail in connection with
Koilwar P.S. Case No. 22 of 2025 registered for the offence
under Section 103(1)/3(5) of BNS and 27 of Arms Act.

3. The petitioner is not named in the F.I.R. and is in
custody since 29.01.2025.

4. As per FIR, the brother of the informant was
murdered by unknown miscreants by causing firearm injury.

5. Learned counsel appearing on behalf of the
petitioner submitted that the name of petitioner transpired
during course of investigation on the basis of confessional
statement of apprehended co-accused Om Prakash Kumar @



Prakash Mahto, in furtherance of which nothing incriminating transpired during investigation as to connect petitioner with present crime in question. The petitioner was not put up on TIP as yet.

6. Explaining criminal antecedent, it is pointed out that petitioner found involved in eight more criminal cases, where after trial he was acquitted in one case and as such effectively seven criminal cases are pending where he is on bail. It is submitted that if merit of this case otherwise appears in favor of the petitioner, merely on the ground of criminal antecedent ordinarily the prayer of bail should not be rejected. In support of his submission learned counsel relied upon the legal report of Hon'ble Supreme Court as available through ***Prabhakar Tewari vs. State of Uttar Pradesh and Anr.*** reported in ***(2020) 11 SCC 648***. While concluding argument, it is submitted that investigation of this case is already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

7. Learned APP opposed the prayer of bail.



8. Considering the aforesaid factual submissions and by taking note of fact as *prima-facie* save and except suspicion arising out of confessional statement of co-accused nothing incriminating appears against petitioner during investigation as to connect him with present crime in question, coupled with the fact as investigation of this case is already completed, where petitioner remains in custody since 29.01.2025, accordingly, petitioner above named, is directed to be released on bail in connection with Koilwar P.S. Case No. 22 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Bhojpur at Ara/concerned Court, subject to the conditions as mentioned under Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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