

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70744 of 2025

Arising Out of PS. Case No.-617 Year-2023 Thana- ROSERA District- Samastipur

Vikash Kumar @ Vikash Kuma @ Vikash Mahto S/o Bauyelal Mahto @
Bauya Lal Mahto R/o Village- Baghopur, P.S.- Rosera, District- Samastipur
(Bihar) Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Kumar, Advocate

For the Opposite Party/s : Mrs.Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

5 13-02-2026 Heard Mr.Madhav Kumar, learned counsel for the
petitioner and Mrs. Sucheta Yadav, learned APP for the State.

2. The petitioner is in custody in connection with
Rosera P.S. Case No. 617 of 2023 instituted under Sections
147,148, 149, 323, 307, 379, 504, 506 of the Indian Penal Code
and 27 of the Arms Act lodged on 17.12.2023 by the informant,
Ramshish Mahto.

3. As per the prosecution story, the informant alleged
that the three brothers had partitioned their land decades ago.
However, one Bauye Lal Mahto who is one of the brother,
executed deed in favour of his son despite the fact that in the
partition, it was allotted to him. The allegation is that to grab the
said land, went to to the place concerned and thereafter, at the
behest of said Bauye Lal Mahto, another co-accused, Vikash
Kumar (petitioner herein) as also another son, Sheo Shankar



opened fire which hit the informant and his son. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that he has already suffered by being in custody since 27.09.2024 and undertakes not to indulged in any criminal activity and shall be diligently appearing in trial without fail.

5. Learned APP opposes the prayer submitting that the allegation is of opening fire on the own family members.

6. Considering the submissions of the parties as also that the petitioner has remained in custody since 27.09.2024, an undertaking has been given that he shall not indulge in any criminal activity and shall be diligently appearing in trial without fail, in that background, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned A.D.J.-II, Rosera, in connection with Rosera P.S. Case No. 617 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document (Aadhar Card/Driving License/Voter ID/Pan Card



etc.) to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Ravi/-

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

