

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77706 of 2025

Arising Out of PS. Case No.-285 Year-2024 Thana- DALSINGHSARAI District- Samastipur

Lagnu Mahto @ Vivek Kumar S/o Late Ranjeet Mahto R/o Village-
Bhatgama, Ward No.27, P.S- Dalsinghsarai, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Choudhary Shyam Nandan, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 06-02-2026 Heard Mr. Choudhary Shyam Nandan, learned counsel
for the petitioner and Ms. Renu Kumari, learned APP for the
State. Perused the case diary.

2. The petitioner seeks bail in connection with
Dalsingsarai P.S. Case No. 285 of 2024 instituted for the offence
under Sections 126(2), 115(2), 109, 103, 352 & 3(5) of the
Bharatiya Nyaya Sanhita, 2023 of the Indian Penal Code and
Section 27 of the Arms Act.

3. The prosecution case, in short, is that the accused
persons assaulted the informant for refusing to open his shop
and later returned with common intention, abusing and creating
terror. It is further alleged that on provocation of co-accused,
Shivam Mahto and Lagnu Mahto (petitioner) fired from outside



the door, causing a firearm injury to the informant's father, who later died during treatment.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 18.11.2024. Petitioner bears one criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel submits that it is highly improbable that any person can identify accused from the back of close door. There is no eye witness to the occurrence. As per FIR, petitioner allegedly fired due to which father of the informant sustained injury. Charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. There is direct allegation of firing against the petitioner and as per postmortem report, cause of death is hemorrhage and shock due to bullet injury.

7. Considering the aforesaid facts and circumstances of the case and there being direct allegation of firing against the petitioner, which is corroborated by the postmortem report, this Court is not inclined to grant bail to the petitioner. Prayer for



grant of bail to the petitioner is hereby *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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