

In the Court of Sessions Judge, Darbhanga.**B.P. No.538/2026**

1.Rajeev Kumar Mahto, son of Bittu Mahto

R/o Village- Arer Konha Tola, P.S- Arer, District-Madhubani

2. Manish Kumar, son of Late Ram Dev

R/o Village-Shivdhara, P.S- L.N.M.U, District- Madhubani

.....Petitioner.

Versus

The State of Bihar..... Opposite Party.

For the petitioner : Shri Fulendra Sah , learned Advocate.

For the O.P.(State): Shri A.N. Jha, learned Public Prosecutor.

ORDER**19-06-2026**

Application for regular bail has been filed on behalf of the petitioner namely Rajeev Kumar Mahto and Manish Kumar who are in judicial custody since 11-05-2026 in connection with Kamtaul P.S. Case No. 109/2026 for the offences U/ss. 289, 308 (7), 74, 126 (2), 115 (2) BNS and 25 (9), 27 Arms Act.

2. Heard the learned counsel for the petitioners as well as learned Public Prosecutor on behalf of the State.

3. The allegation is that informant, who is posted as P.T.C. at Kamtaul PS and deputed on Dial-112 duty and on 09.05.2026 at 3.00 AM, he received an information that some youths at a wedding ceremony in Chhotki Ladha, Kamtaul were displaying illegal fire arms, threatening to shoot people, extorting, intimidating assaulting guests and local residents and misbehaving with women, and dancing on a DJ stage while brandishing pistols, after information, the police officers reached the village, upon noticing police vehicles, the accused fled from the scene, resulting into the institution of the present case.

4. It has been submitted that the accused-petitioners are innocent and have committed no offence and they have been falsely implicated in the present case. It has further been submitted that even if the written report is accepted as a gospel truth, it is abundantly clear that there is no recovery from the conscious possession of these petitioners, rather the only allegation is that they were arrested and two separate mobile phones were recovered from their possession. The further submission is that petitioner no. 1 is carrying clean antecedent, whereas, petitioner no. 2 is alleged to have involved in one other case and both the petitioners are in custody since 11.05.2026.

5. On the other hand, the learned Public Prosecutor opposes the prayer of regular

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bail.

6. Heard and perused the case diary. Para no.2 of the case diary reflects the restatement of the informant supporting the occurrence, Para no. 8 of the case diary is the description of the place of occurrence, which appears situated in village Chhotki Ladha. Para no. 3,4,5 of the case diary reflects the statement of witnesses supporting the occurrence. Para no. 13 of the case diary reflects arrest of accused petitioners and mobile phones have been recovered from their possession. Para-24 of the case diary reflect recovery of country made pistol and two live cartridges from the tea shop of accused Ajit Kumar, who confessed his involvement in this case. Para-3 of the bail application of accused petitioners reflects that petitioner no. 1 is carrying clean antecedent, whereas, petitioner no. 2 is alleged to have involved in one other case and both the petitioners are in custody since 11.05.2026.

7. Under the facts and circumstances of the present case, the nature of allegation , coupled with period of custody of the petitioners, the application for regular bail of the petitioners stands **allowed**. Let the petitioners namely Rajeev Kumar Mahto, Manish Kumar, be released on bail on furnishing bail bond of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of the Court of Chief Judicial Magistrate, Darbhanga. With conditions.

1. The petitioner shall desist from committing any similar or other criminal offence
2. They shall be cooperating the investigation as well as trial and shall appear on each and every date fixed by the learned trial Court for early disposal of the case, if the petitioners fail to appear on any date, not to the satisfaction of the learned trial Court, their bail bond shall be liable to be cancelled.

(Dictated)

(Ajay Kumar Sharma)
Sessions Judge, Darbhanga.
19.06.2026.