

**IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE,
SITAMARHI.
B.P No. 593/26.**

Present:- Akhilesh Kumar Jha, Principal District & Sessions Judge,

In the matter of :-

**1. Mohan Baitha @ Mohan Kumar Baitha S/o Punit Baitha @ Rajmangal
Baitha @ Jaimangal Baitha ,R /o Gulariya Birta, P.S-Riga,
Distt. Sitamarhi.....Petitioner.**

V/S

State of Bihar.....Opposite Party.

Appearance:

For the petitioner:- Sri Ranjit Kumar Verma, Advocate.

For the State:- Md. Prafulla Kumar Jha, I/C PP.

Date of order or proceeding.	Order with the signature of the court.	Office action taken with date.
<u>29.06.2026.</u>	This bail petition has been filed on behalf of the petitioner namely, Mohan Baitha @ Mohan Kumar Baitha, who is in custody since 16.12.2025 in connection with Mehsoul P.S. Case No. 144/25 registered u/ss: 126, 115(2), 118, 117(2), 109, 61(2) BNS and 25(1-B)a, 26/35/27 Arms Act. 2. Heard the learned counsel for the petitioner and the learned I/C PP for the State. 3. The Learned counsel for the petitioner submitted that petitioner is innocent and he has been falsely implicated in this case. All the allegations levelled against the petitioner are false and baseless. Nothing incriminating material has been recovered from possession of the petitioner. The petitioner has criminal antecedent of 21 cases. The FIR was instituted in this case on written application of the informant, however, on perusal of FIR, it is clear that the petitioner had not caused injury to the informant. In the written application it is only written that “MOHAN BHAIJI BHAGIYE KAM HO GAYA.” The petitioner is in custody since 16.12.2025. On these grounds, the learned counsel for petitioner prayed for grant of bail to the petitioner. 4. On the other hand, the learned I/C PP opposed prayer of bail of the petitioner and submitted that the petitioner is named in the FIR. Further submitted that	

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there is direct allegation against this petitioner that he alongwith other co-accused persons fired at informant and caused him injury in his hand, abdomen and thigh. During investigation of the case, in para-11 of the case diary, the informant in his further statement specifically stated that he recognized Mohan Baitha (petitioner) as one of the assailant, who was wearing white T-shirt and spectacles. Other witnesses in paras-12, 33 and 34 of the case -diary have also supported the prosecution case. As per para-2 of the case diary, two live cartridges were recovered from the place of occurrence and bullet pellets were recovered from right hand and left thigh of informant. As per injury report of the injured, two grievous injuries caused by fire-arm was found on his body. As per para- 3 of bail application petitioner has criminal antecedents of 21 cases.

5. The prosecution's case, in brief, as per written application of the informant namely, Rishi Kashyap @ Rishi Jha is that on 10.09.2025 at 9.45 to 9.50 AM while he was returning home after making attendance in Dumra Police Station 4-5 boys started firing shot at him from bush, which hit his arm, abdomen and thigh. Seeing the passersby and people of the locality gathering, one of the boys told that "Mohan Bhai run, work was done". One boy fled towards goomati raising slogan of Mohan, Rajesh Paswan jindabad and 4-5 bike borne boys fled towards Basbariya. The passersby and people of locality brought the informant to the clinic of Dr. Barun Kumar for treatment.

6. From perusal of record, it appears that there is allegation against the petitioner that he alongwith other co-accused persons fired at informant and caused fire-arm injuries. As per injury report annexed with the case-diary, injuries caused to the informant is grievous in nature caused by fire-arm. During investigation the informant and other witnesses have supported the allegation levelled against the petitioner. The petitioner has criminal antecedent of 21 cases as per para-3 of bail

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application.

7. Considering the aforesaid facts & circumstances of the case, serious nature of allegation, 21 criminal antecedents of petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, his prayer for bail is hereby rejected.

(Dictated)

Sd/-
(Akhilesh Kumar Jha)
Principal Sessions Judge,
Sitamarhi.
29.06.2026

Date of Judgment /Order	29.06.2026.
Date of Reserving Judgment/Order	29.06.2026.
Uploading Date	30-06-2026
Uploaded by	Purushotam Kumar