

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24109 of 2025**

Arising Out of PS. Case No.-36 Year-2024 Thana- RAIL BARHAIYA District- Lakhisarai

Vinod Mahto @ Binod Mahto, aged about 32 years, Gender-Male, Son of Sirish Mahto, Resident of Village- Purani Chhawani English, Ward No-17, Police Station- Badahiya, District-Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA**  
**ORAL ORDER**

2      01-05-2025                      Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Rail Barahiya P.S. Case No. 36 of 2024 instituted for the offences punishable under Sections 25(1-b)A and 26 of the Arms Act.

3. As per the prosecution case, one country made *Katta* has been recovered from the possession of accused person, who disclosed his name as Binod Mahto.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case merely on the basis of mere suspicion. He submits that petitioner is named in the FIR but there is no any incriminating articles recovered from the possession of the petitioner. He further submits that there is no



any independent witness of the seizure list. Petitioner has got clean antecedent as stated in para 3 of the petition is in custody since 08.01.2025.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned Additional District and Sessions Judge-III, Lakhisarai dated 01.03.2025, it appears that petitioner is named in the FIR. From perusal of the records, it appears that on the basis of written report of the informant Sanjay Kumar, Police Sub-Inspector of Rail, FIR has been registered under Rail Barahiya P.S. Case No. 36 of 2024 instituted for the offences punishable under Sections 25(1-b)A and 26 of the Arms Act against the present petitioner. It also appears that one country made *katta* has been recovered from the possession of the petitioner and all the witnesses of the seizure list is police constable and occurrence is on Railway Platform, which is crowded place, petitioner has got clean antecedent as stated in para 3 of the petition, so considering all these aspects of the matter and submission of learned counsel for the petitioner, I am inclined to grant bail to the petitioner.

7. Accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on



furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. (Rail) / Concerned Court, Lakhisarai in connection with Rail Barahiya P.S. Case No. 36 of 2024.

**(Ramesh Chand Malviya, J)**

Anand Kr.

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