

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40334 of 2025

Arising Out of PS. Case No.-348 Year-2024 Thana- SONBERSA District- Sitamarhi

Raj Kumar Mahto @ Raj Kumar Son of Shri Kishori Mahto village-
Madheshra, Bhutahi, Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashwani Kumar Shahi, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

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

ORAL ORDER

6 12-09-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Sonbarsa P.S. Case No. 348 of 2024, instituted for the offences punishable under Sections 126(2), 115(2), 109, 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023, read with Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The prosecution case, in short, is that the petitioner along with other co-accused persons assaulted the informant by means of *lathi*, *danda* due to which he sustained injuries. It is further alleged that petitioner and co-accused Sanjiv Ram was having pistol in their hand.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioners. Learned counsel for the petitioner also submits that the petitioner is named in the FIR but they have got no concern with the alleged occurrence. No specific allegation has been attributed against the petitioner. The allegations levelled against the petitioner is general and omnibus in nature. It is further submitted that the injury received by the informant is simple in nature. The petitioner is in custody since 16.11.2024 and has got eleven criminal antecedents. Learned counsel for the petitioner further submits that other co-accused have been granted regular bail by of this Court vide order dated 29.04.2025 passed in Cr. Misc. No. 22429 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two



sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sonbarsa P.S. Case No. 348 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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