

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40516 of 2025

Arising Out of PS. Case No.-614 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

Shambhu Nath Mahto S/O Late Deonath Mahto R/O Village- Karinga
Musehri, Police station- Chapra Muffasil, District- Saran, Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

4 09-09-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Chapra Muffasil P.S. Case No. 614 of 2024 instituted for the offences under Sections 126(2), 115(2), 118(1), 109, 303(2), 352, 351(2), 35(3), 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. As per prosecution case, the accusation against the accused persons including the petitioner is of attacking the informant and his younger brother by means of sharp-edged knife causing serious injuries.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as



alleged against him and has falsely been implicated in the present case. There is no specific or direct allegation of any overt act against the petitioner rather the same is general and omnibus in nature. He further submits that the allegation of theft is not against the petitioner. There is also no *mens rea* of the petitioner for making an attempt to cause death to Ashutosh Kumar. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent and is languishing in judicial custody since 01.04.2025 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The Investigating Officer, after completion of investigation, has submitted charge-sheet finding the case true against the petitioner for offence under Sections 126(2), 115(2), 118(1), 109, 303(2), 352, 351(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case



as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Chapra Muffasil P.S. Case No. 614 of 2024.

(Rudra Prakash Mishra, J)

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