

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77452 of 2025

Arising Out of PS. Case No.-130 Year-2024 Thana- SARAI RANJAN District- Samastipur

Nagendra Mahto, aged about 28 years, Male, Son of Ram Kishun Mahto,
Resident of Village- Daulatpur Chandi, P.S.- Haripur Sadar, District- Vaishali.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mritunjay Kumar, Advocate
		Mr. Jharkhandi Upadhyay, Advocate
For the Opposite Party/s	:	Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 19-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sarai
Ranjan P.S. Case No. 130 of 2024 instituted for the offences
punishable under Sections 309(4) and 3(5) of the BNS.

3. As per the allegation in the FIR, some unknown
criminals looted away the vehicles loaded with Mangrail and
other goods and assaulted the driver and khalashi of the vehicle.

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. He submits that the
petitioner is not named in the FIR and the FIR has been lodged
against unknown. He further submits that the name of the
petitioner has been surfaced in this case only on the basis of



confessional statement of co-accused Arbind Sahni, who was arrested in another case and named the petitioner. He next submits that there is no any articles has been recovered from the conscious possession of the petitioner. He lastly submits that petitioner has not put on Test Identification Parade till date. Petitioner has several criminal antecedents is in custody since 16.11.2024.

5. Learned APP for the State opposes the prayer for bail.

6. From perusal of the FIR and impugned order of the learned Additional Sessions Judge-II, Samastipur dated 08.08.2025, it appears that petitioner is not named in the FIR and his name surfaced in this case only on the basis of confessional statement of co-accused Arbind Sahni. Petitioner is in custody since 16.11.2024 as stated in para 4 of the petition. Investigation has already been concluded and chargesheet has been submitted in this case but no Test Identification Parade has been conducted during investigation, so considering all these aspects of the case 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., Samastipur in connection with Sarai Ranjan P.S. Case No. 130 of 2024, subject to the condition that the petitioner shall remain physically present on each and every date as fixed before the trial Court till conclusion of the trial and in absence on two consecutive dates, the learned trial Court shall cancel the bail bonds of the petitioner.

(Ramesh Chand Malviya, J)

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