

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.165 of 2026

Arising Out of PS. Case No.-111 Year-2025 Thana- MANSURCHAK District- Begusarai

Tuntun Mahton @ Tuntun Mahto @ Tun-Tun Mahto @ Tuntun Singh S/O
Late Natho Mahto R/O Samsa @ Shamsa-1, Ward No. 06, P.S- Mansoorchak
@ Mansur Chak @ Mansurchak, Distt.- Begusarai, Pin- 851125.

... .. Appellant/s

Versus

1. The State of Bihar
2. Rahul Kumar Paswan S/O Parsadi Paswan R/O Village- Purani Chak, Ward
No. 04, P.S- Mansoorchak @ Mansur Chak @ Mansurchak, Distt.-
Begusarai.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Arvind Kumar, Advocate
For the Respondent/s : Mr. Sadanand Paswan, SPP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 18-06-2026 Despite valid service of notice, no one appears on
behalf of the Respondent No. 2.

2. Heard Mr. Arvind Kumar, learned counsel for the
appellant as well as Mr. Sadanand Paswan learned Spl.P.P. for
the State.

3. This is an appeal under Sections 14(A)(2) against
refusal of the prayer for regular bail by order dated 16.12.2025
passed by the learned Court of Exclusive Special Judge SC/ST,
(POA) Act, Begusarai in connection with Manshoorchak @
Mansur Chak @ Mansurchak P.S. Case No. 111 of 2025, F.I.R.
dated 29.10.2025 registered under Sections 126(2), 115(2), 109,
303(2), 352 and 351(2) of the BNS, 2023 and Sections 3(i)(r)(s)



of the Scheduled Castes and Scheduled Tribes Act (Prevention of Atrocities) Act.

4. According to the prosecution case, all the accused persons including this appellant armed with deadly weapon have brutally assaulted the informant and also snatched gold chain and cash from the informant.

5. Learned counsel for the appellant submits that appellant is innocent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the appellant has not committed any offences as alleged in the F.I.R. He further submits that it appears from the FIR that there is no specific allegation against the appellant rather there is general and omnibus allegation against him and it is alleged that the appellant along with other accused persons have assaulted to the injured person. Learned counsel for the appellant has produced a injury report of the injured person which suggest that the injury inflicted upon the injured person is simple in nature. He further submits that the police, after investigation, submitted charge sheet against the appellant. The appellant is in custody since 26.11.2025.

6. Learned Special Public Prosecutor for the State has



vehemently opposed the prayer for bail of the appellant and submits that the appellant has actively participated in the present crime in question and apart from that the appellant carries one criminal antecedent other than the present one.

7. Considering the aforesaid facts and circumstances of the case, let the appellant, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Special Judge, SC/ST (PoA) Act, Begusarai in connection with Mansoorchak @ Mansur Chak @ Mansurchak P.S. Case No. 111 of 2025, with other following conditions:-

i. Appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the appellant tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the appellant and in case at



any stage it is found that the appellant have concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the appellant. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Rajesh Kumar Verma, J)

Vanisha/-

U		T	
---	--	---	--

