

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10366 of 2026

Arising Out of PS. Case No.-392 Year-2025 Thana- BYPASS District- Patna

1. Badal Kumar son of Ram Ratan Mahto Resident of Village -Badi Pahari, PS -Agamkuan, Dist -Patna
2. Bajrangi Mahto son of Bharosa Mahto Resident of Village -Badi Pahari, PS -Agamkuan, Dist -Patna
3. Kishlay Raj son of Sunil Kumar Gupta Resident of Village - March Road, Marchi Purana Loha Lane Factory Ps- Bye Pass, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 20-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 309 (4) of the BNS, 2023.

3. The case of the prosecution, in short, is that unknown miscreants have looted the informant.

4. Learned counsel for the petitioners submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is further submitted that the F.I.R. was lodged against unknown miscreants. During the



course of investigation, one Chandrashekhar is said to have made a confessional statement and on the basis of the said confessional statement, the present petitioners have been implicated in this case. It is further submitted that save and except the confessional statement of the co-accused, there is nothing against the petitioners. No recovery has been made from the possession of these petitioners; rather, recovery has been made from the possession of Chandrashekhar. It is further submitted that Petitioner No. 1 has five criminal antecedents, whereas Petitioner Nos. 2 and 3 have no criminal antecedents. It has also been submitted that similarly situated co-accused have been granted bail by a learned Co-ordinate Bench vide orders dated 30.01.2026 passed in Cr. Misc. No. 88130 of 2025. The case of the petitioners stands on similar footing. They are in custody since 05.08.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with By Pass P.S. Case No. 392 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) each with



two sureties of the like amount each to the satisfaction of
learned Judicial Magistrate, 1st Class, Patna City.

(Ashok Kumar Pandey, J)

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