

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8520 of 2026

Arising Out of PS. Case No.-138 Year-2024 Thana- PHULWARIA District- Begusarai

Shashi Kumar @ Shashi Mahto @ Shshi Kumar Son of Chandradeo Mahton
@ Chandradeo Mahto @ Chandradeb Mahto @ Chandradeb Mahato Resident
Of Village - Phulwariya 01, (Phulwaria), Ward no. 03, Kairiwari, Ps-
Phulwaria, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 02-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is the second attempt of the bail of the petitioner. Earlier the prayer for bail of the petitioner was rejected vide order dated 14.05.2025 passed in Cr. Misc. No. 2746 of 2025.

3. The petitioner seeks regular bail in connection with Phulwariya P.S. Case No. 138 of 2024 registered for the offence under Sections 281, 125(B) of the B.N.S., 2023 and section 37 of the Bihar Prohibition and Excise Act and later on section 105 (part 2) of the B.N.S. was added.

4. The petitioner is accused of killing the informant's brother while driving a Scorpio vehicle in a drunken condition.



5. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. Petitioner has clean antecedent and he is in custody since 26.08.2024. Learned counsel further submits that in the trial out of eight witnesses, no witness has been examined till date.

6. Learned A.P.P. for the State has vehemently opposed the prayer for bail.

7. Considering the aforesaid facts and circumstances of the case and also from the statement of the victim girl it appears that she had eloped with the petitioner, period of custody of the petitioner, this application for regular bail is allowed.

8. Accordingly, 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 Exclusive Special Excise Judge-1, Begusarai/concerned court below in connection with Phulwariya P.S. Case No. 138 of 2024.

9. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case



and shall not influence the trial or any other proceedings in any manner.

(Sandeep Kumar, J)

Ranjeet/-

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