

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11208 of 2026

Arising Out of PS. Case No.-218 Year-2025 Thana- DARBHANGA SADAR District-
Darbhanga

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Raushan Kumar Mahto @ Roushan Kumar Son of Jay Kishan Mahto
Resident of Village - Ganj Chipaliya, Bajitpur, P.S.- Bahadurpur, District -
Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Baidyanath Prasad, Adv.

For the Opposite Party/s : Mr.Mohammed Arif, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-03-2026 Heard Learned Counsel for the petitioner and

Learned APP for the State.

2. The petitioner is apprehending arrest in connection
with Sadar P.S. Case No.218 of 2025 lodged on 05.07.2025, for
the offences punishable under Sections 109, 3(5) of the BNS
read with Section 27 of the Arms Act.

3. As per the prosecution, FIR has been lodged against
two named accused persons alleging that 5-6 unknown persons
duly weaponed have surrounded the informant and started
indiscriminate firing, but anyhow, he saved his life.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that the petitioner is not named in the FIR, but



during investigation, the co-accused persons have disclosed the name of the petitioner in the present case.

5. Counsel submits that the criminal antecedent of the petitioner is not clean. There are 3 criminal cases pending against the petitioner, but he is on bail in all cases. He further submits that the petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

6. Counsel further submits that other co-accused persons have been granted anticipatory bail by the Co-ordinate Bench of this Court vide orders dated 17.12.2025 and 24.02.2026 passed in Cr. Misc. No.83162 of 2025 and Cr. Misc. No.6911 of 2026.

7. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the case of the petitioner is different from other accused who has been granted bail. He further submits that antecedent of the petitioner is not clean.

8. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail on being satisfied by the trial court that the petitioner is not absconding in any of the cases which are pending against him whose details are mentioned below, in the event of arrest or surrender before the learned Court below



within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of C.J.M., Darbhanga in connection with Sadar P.S. Case No.218 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023 with other following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself.

9. The details of the cases which are pending against the petitioner, are as follows:-

i. Bahadurpur P.S. Case No.360 of 2021.

ii. Sadar P.S. Case No.227 of 2025.

iii. Keoti P.S. Case No.173 of 2025.

(Dr. Anshuman, J)

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