

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16496 of 2026

Arising Out of PS. Case No.-330 Year-2025 Thana- ROSERA District- Samastipur

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Aman Kumar Mahto @ Aman Kumar Son of Arun Mahto Resident of
Village- Lalpur, P.S.- Rosera, District- Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Ms. Jyoti Prasad, Adv
		Mr.Madhav Kumar, Adv,
For the Opposite Party/s :		Mr.Anant Kumar 1, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 07-04-2026 1. Heard learned counsel for the petitioner, Ms. Jyoti Prasad assisted by Mr. Madhav Kumar and learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 109, 191(2), 351(2) of the Bharatiya Nyaya Sanhita and Section 27 of the Arms Act.
3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that he took his son to Rosera bus stand and his son sat in a bus for going to Samastipur, when petitioner along Raju and 15-20 unknown accused came and forcibly dragged his son out of the bus and took him to a litchi orchard and tied him to a tree



and assaulted by butt of of pistol, fist and belt on his face and body injuring him, further when he tried to save his son, petitioner fired at him but he managed to save himself and thereafter threw his son on road thinking he is dead and threatened not to institute a case by calling from mobile no. 7261001175.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that no reason for the occurrence is alleged in the FIR. It is also submitted that the FIR gives an impression that the son of the informant was brutally assaulted, but then the injury suffered by the son of the informant is simple in nature and the allegation is not specific. It is further submitted that as far as allegation of firing is alleged, the same has been alleged in order to give seriousness to the case when no one was injured by the fire-arm injury nor any empty cartridge was recovered from the place of occurrence. It is also submitted that petitioner is a young boy aged about 22 years and in the nature of allegation, if he is sent to judicial custody, his entire career would get jeopardized and chances are bright that he may come in contact with hardened



criminals. It is further submitted that in the event if privilege of anticipatory bail is granted to the petitioner, the petitioner will not abscond rather will co-operate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Rosera P.S. Case No. 330 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. One of the bailors of the petitioner shall be his father, Arun Mahto.

8. However, it is made clear that in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner, despite giving assurance to this Court, is not cooperating in the investigation, in that event, the learned trial court shall be at



liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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