

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21309 of 2026

Arising Out of PS. Case No.-116 Year-2025 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Vishal Mahto @ Vishal Kumar @ Chetan @ Chentan S/o Umesh Mahto @
Valeshavar Mahto R/o Village - Ananadgolwa @ Anand Golava, P.S -
Mohiuddin Nagar, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Md Shadab Alam Wazdi, Adv
For the Opposite Party/s	:	Mr. Rabindra Kumar, APP
For the Informant	:	Mr. Pushkar Prashant, Adv
		Mr. Sanjay Kumar, Adv

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 08-04-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Mohiuddin Nagar P.S. Case No. 116 of 2025, registered for the offence punishable under Sections 126(2), 115(2), 118(1), 303(2), 109(1), 352, 351(2), 351(3) and 3(5) of B.N.S.

3. The case of the prosecution, in short, is that when the informant was returning to his house on motorcycle with Chandan Kumar after watching Orchestra, in the way 9-10 miscreants including petitioner surrounded the informant and on the order of co-accused Saurav Kumar Singh, co-accused Sonu Kumar Singh with an intention to kill, placed pistol upon him



and pulled trigger, but it could not fire. Thereafter, he assaulted with butt of pistol on the head of informant and in course of it, other co-accused persons Raja Kumar Singh, Rajesh Kumar Singh and Mantu Kumar Singh also attacked with Farsa, Sword and Tangari, causing injury. The villagers came there who carried the informant to Mohiuddinnagar government hospital, where doctor seeing the serious condition referred to P.M.C.H., Patna for treatment.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence. He further submits that he has falsely been implicated in the present case due to village politics. He further submits that the entire allegations against him are false, frivolous, baseless and concocted. There is old enmity between the parties and the dispute relates to money. He further submits that the petitioner has no criminal antecedent.

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

6. Considering the fact that there is no specific allegation of assault has been levelled against the petitioner and that he is alleged to be a member of the mob and also the fact that the petitioner has no criminal antecedent, this Court is



inclined to grant privilege of anticipatory bail to the petitioner.

7. Let the petitioner, named above, in the event of his arrest or surrender before the Court below within four weeks from today, 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 the learned S.D.J.M., Shahpur, Patori, Samastipur in connection with Mohiuddin Nagar P.S. Case No. 116 of 2025, subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 and subject to the further condition that:-

(i) the petitioner shall co-operate in the investigation/trial.

(ii) the learned Court would, however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Alok Kumar Sinha, J)

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