

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25316 of 2026

Arising Out of PS. Case No.-607 Year-2025 Thana- RAHUI District- Nalanda

1. Golu Kumar S/O Pradip Mahto R/O Village- Shamabad, P.S- Bhagan Bigha, (Rahui), Distt.- Nalanda.
2. Rahul Kumar S/O Pramod Mahto R/O Village- Shamabad, P.S- Bhagan Bigha, (Rahui), Distt.- Nalanda.
3. Arun Kumar @ Arun Prasad S/O Ramnandan Prasad @ Ramnandan Mahto R/O Village- Shamabad, P.S- Bhagan Bigha, (Rahui), Distt.- Nalanda.
4. Vrishen Kumar @ Virswan Mahto S/O Ramanand Mahto @ Ramanand Prasad R/O Village- Shamabad, P.S- Bhagan Bigha, (Rahui), Distt.- Nalanda.
5. Dev Kumar @ Deva Kumar S/O Arun Prasad @ Arun Kumar R/O Village- Shamabad, P.S- Bhagan Bigha, (Rahui), Distt.- Nalanda.
6. Sanjiv Kumar S/O Ramanand Prasad @ Ramanand Mahto R/O Village- Shamabad, P.S- Bhagan Bigha, (Rahui), Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Adv.
For the Opposite Party/s : Ms.Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 22-04-2026 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners are apprehending their arrest in connection with Rahui P.S. Case No. 607 of 2025 dated 20.10.2025, registered for the offence punishable under Sections 190, 191(1), 191(2), 109(1), 126(2), 115(2), 117(2), 74, 303(2), 352, 324(2) of the B.N.S., 2023 and Section 27 of the Arms Act.

3. As per prosecution case, on 19.10.2025, following a



dispute, about 20 accused persons, armed with various weapons, came to the informant's house, abused her, and one of them opened fire. They also assaulted her family members, causing serious injuries, damaged property, and snatched a mobile phone. It is further alleged that they entered the house and looted ornaments and cash of Rs. 10,00,000 before fleeing.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the present case. There is a case and counter case between the parties. He submits that the co-accused Vicky Kumar and Ricky Kumar, against whom there is an allegation of opening firing and assaulting Sonu Kumar, have already been granted regular bail by a Co-ordinate Bench of this Court vide order dated 21.01.2026 passed in Cr. Misc. No. 2487 of 2026. It is next submitted that the similarly situated other co-accused persons have also been granted privilege of anticipatory bail by a Co-ordinate Bench of this Court vide order dated 07.04.2026 passed in Cr. Misc. No. 19870 of 2026. It is further submitted that the allegation against the petitioners are general and omnibus in nature while the allegation of opening fire is upon the co-accused Vicky Kumar. It is next submitted that the petitioner nos. 4 & 6 have one criminal antecedent in which they are on



bail whereas petitioner nos. 1, 2, 3 & 5 have no antecedent.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioners.

6. Having heard learned counsel for the parties, and considering the fact that there is a case and counter-case between the parties, there being no specific allegations of any overt acts against the petitioners and, as also, the fact that similarly situated co-accused persons have already been granted privilege of anticipatory bail by a coordinate Bench of this Court, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Rahui P.S. Case No. 607 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

- (i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document / personal affidavit to show his/her bona fide;
- (ii) the petitioner(s) 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 their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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