

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29571 of 2026

Arising Out of PS. Case No.-338 Year-2025 Thana- KISHANGANJ District- Kishanganj

Bikesh Kumar Mahto @ Vikesh Kumar S/o Late Mahesh Mahto @ Mahto @
Mahesh R/o vill- Singhia Sultanpur ward no. 15, P.S. and District- Kishanganj
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar

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

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 15-07-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Kishanganj P.S. Case No.338 of 2025, dated 25.06.2025, registered for the offence punishable under Sections 126(2), 115(2), 117(2), 109(1), 3(5) of the Bharatiya Nyaya Sanhita.

3. As per the FIR, the petitioner and other co-accused persons took away the son of the informant and brutally assaulted him by means of several weapons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is further submitted that, upon completion of the investigation, the police have submitted a final form in favour of the petitioner. However, differing with the said report, the



learned Court below has taken cognizance merely on the ground that the injuries sustained by the informant's son have been found to be grievous in nature. It is further submitted that no specific overt act causing the grievous injuries has been attributed to the petitioner. Lastly, it is submitted that the petitioner has no criminal antecedents.

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

6. Having regard to the fact that no specific allegation of causing the grievous injuries has been attributed to the petitioner, that the investigating agency has submitted a final form in his favour, and that the petitioner has no criminal antecedent, this Court is inclined to extend the privilege of anticipatory bail to the petitioner. Accordingly, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kishanganj/Successor Court in connection with Kishanganj P.S. Case No.338 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS 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 his/her/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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