

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38969 of 2026

Arising Out of PS. Case No.-261 Year-2020 Thana- KARJA District- Muzaffarpur

Sonu Mahto @ Sonu Kumar S/o Ramadhin Mahto @ Ramadhan Mahto R/o
Village- Amaitha Mangosar ,P.S -Jaintpur ,District Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 17-06-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Karja P.S. Case No.261 of 2020, dated 09.10.2020, registered for the offence punishable under Sections 356, 379 of the Indian Penal Code.

3. As per the FIR, two persons boarded on a motorcycle, intercepted the motorcycle of the informant bearing Registration No.BR06CE-2263 before Kodariya bridge and snatched his bag containing Rs.86,070/- cash and ran away.

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 the name of the petitioner transpired solely on the basis of the confession made by one of the co-accused, namely, Shiv Kumar @ Shiva, and



that nothing incriminating has been recovered from the possession of the petitioner. Learned counsel further submits that although the petitioner has five criminal antecedents, the learned court below has rejected his prayer for bail primarily on the ground of such antecedents. Referring to the judgment rendered in *Ayub Khan vs. The State of Rajasthan* in Criminal Appeal arising out of **Special Leave Petition (Crl.) No. 10587 of 2023**, it is submitted that criminal antecedents, by themselves, cannot be the sole ground for denial of bail and are only one of the factors to be taken into consideration while adjudicating a bail application. He further submits that the criminal antecedents attributed to the petitioner pertain to the year 2020 and that the petitioner has already been granted bail in all those cases.

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

6. Considering the facts and circumstances of the case and taking into account the judgment rendered by the Hon'ble Apex Court, 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 C.J.M., Muzaffarpur, Bihar/Successor Court in connection with Karja P.S. Case No.261 of 2020, 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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