IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77529 of 2026

CNR No. BRHC011111342026

Arising Out of PS. Case No.-382 Year-2026 Thana- BHAGWAN BAZAR District- Saran

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Ashok Mahto, Son of Krishna Mahto, Resident of Village- Futani Chok, P.S.- Bhagwan Bazar, District- Saran

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 04-11-2026 Heard the learned counsel for the petitioner and the learned APP for the State.

2. The petitioner, who is in custody, seeks bail in connection with Bhagwan Bazar P.S. Case No. 382 of 2026, Saran at Chapra, registered for the offence(s) punishable under Section(s) 126(2), 115(2), 118(1), 109, 352, 351(2), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the F.I.R, the petitioner along with others had assaulted the son of the informant, the informant and the daughter of the informant with *lathi, danda* and knife. The specific allegation, as far as the petitioner is concerned, is that the petitioner had beaten the informant's son, namely Sanjay Shah, with *lathi* and *danda*.

4. The learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and such fact can be ascertained from the very perusal of the injury report

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sustained by the said Sanjay Shah, which is said to be incised wound on epigastric regions having been caused by the sharp and pointed object. It has further been submitted that admittedly, the petitioner is said to have assaulted the informant's son, namely Sanjay Shah, with *lathi* and *danda*, therefore, the injury is not corroborated with the ocular evidence, which goes on to show that the petitioner has falsely been implicated. It has lastly been submitted that the petitioner carries one criminal antecedent and as far as causing other injuries is concerned, the allegation is on co-accused Golu Kumar. The petitioner is in custody since 06.05.2026.

5. The learned APP for the State has vehemently opposed the prayer for bail.

6. Having heard the learned counsel for the parties and considering the fact that the allegations levelled against the petitioner and the injury sustained by the injured Sanjay Shah does not corroborate and taking note of the fact that the petitioner has remained in custody since 06.05.2026, let the petitioner, above-named, be released on bail on his furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Bhagwan Bazar P.S. Case No. 382 of 2026, Saran at Chapra, subject to the following

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conditions:-

(i) One of the bailors of the petitioner shall be his/her close relative and the other shall be a local resident.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence for two consecutive occasions or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the concerned Court.

(iv) If the petitioner, in future, is found to be involved in similar nature of offence(s), the prosecution shall be at liberty to move for cancellation of his/her bail bonds.

(v) The concerned Court shall verify the criminal antecedents of the petitioner and in case, at any stage, it is found that he/she has concealed his/her criminal antecedents, the Court concerned shall take necessary steps for cancellation of his/her bail bond. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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