

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4409 of 2025

Arising Out of PS. Case No.-94 Year-2020 Thana- KHAJAULI District- Madhubani

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Ram Pukar Mahto @ Pukar Mahto Son of Jageshwar Mahto Resident of
village -Chatra PS -Khajauli District- Madhubani

... .. Appellant/s

Versus

1. The State of Bihar
2. Lalan Paswan Son of Late Jagdish Paswan Resident of village -Chatra Po-
Chatra, PS -Khajauli District- Madhubani

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. N.K. Agarwal, Sr. Advocate Mr. Ravindra Kumar Singh, Advocate Mr. Kumar Rajdeep, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 17-03-2026 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant
against the order dated 24.09.2025 passed by learned 1st
District and Additional Sessions Judge-cum-Special Judge,
Madhubani whereby the prayer for bail of the appellant in
connection with Khajauli P.S. Case no. 94 of 2020 under
Sections 147, 148, 149, 341, 323, 324, 307, 302, 452, 504 and
506 of the Indian Penal Code, Section 27 of the Arms Act and



Sections 3(i) (r) (s) 3(2) (V) of SC/ST Act was rejected.

3. As per the prosecution case, on the alleged date and time of occurrence, all the 12 FIR named persons including this appellant armed with weapons abused the respondent by calling his caste name and assaulted his father, as a result of which he sustained multiple injuries and during course of treatment, he died.

4. It is submitted by learned counsel for the appellant that earlier his Criminal Appeal (SJ) for regular bail was dismissed by learned co-ordinate Bench of this court vide Cr. App(SJ) No. 654 of 2025. He has submitted that from perusal of the FIR, it will transpire that the nature of allegation is general and omnibus. It has further been submitted that similarly situated several co-accused persons, namely, Bimal Bihari, Pramod Paswan, Rajan Paswan, Ramesh Paswan, Ram Ashish Ram, Ram Udgar Mahto, Mahendra Paswan and others have already been granted bail by learned co-ordinate Benches of this court vide Annexures-12 and 13 to this petition. Moreover, the appellant is in judicial custody since 25.01.2025.

5. A report regarding stage of trial was called for from the learned trial court and from perusal of the said report,



it will transpire that only charges have been framed and this case is fixed for evidence as on 11.02.2026.

6. Learned counsel for the appellant has submitted that considering the period of custody and the stage of trial as well as parity, he may also be granted the privilege of bail.

7. The appeal for bail is opposed by learned Spl. P.P. for the State and has submitted that appellant is having criminal antecedent of one case. He has submitted that his bail petition was earlier rejected by learned co-ordinate Bench and that no new material is there for consideration of his bail.

8. Having heard learned counsel for the parties and considering the facts and circumstances of this case as stated above, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 24.09.2025 is hereby set aside.

9. The appellant is directed to be enlarged on bail in connection with Khajauli P.S. Case No. 94 of 2020 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned 1st District and Additional Sessions Judge-cum-Special Judge, Madhubani **with a condition that the appellant will cooperate in the trial and shall remain**



physically present before the learned trial on each and every fixed date by the learned trial court.

(Ashok Kumar Pandey, J)

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