

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91228 of 2025

Arising Out of PS. Case No.-296 Year-2025 Thana- BUNIYAD GANJ District- Gaya

Rahul Mahto Son of Sikandar Mahto Resident of Village -Dudhaila P.S.
-Buniyadganj District -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 11-02-2026 Heard the learned counsel for the petitioner and
learned APP for the State.

2. Petitioner, who is in custody, seeks bail in connection with Buniyadganj P.S. Case No. 296 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 109, 76, 303(2), 351(2) , 352 and 3(5) of the B.N.S.

3. As per the prosecution case, eleven named accused persons are alleged to have collectively assaulted the informant and other family members.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case with allegations of general and omnibus nature. It has been submitted that the petitioner has been named only because he happens to be one of the family members and on account of some dispute



with regard to property, the present false and concocted case has been lodged. It has further been submitted that from perusal of the injury reports, it would be evident that the two persons who were found to be injured had sustained simple injuries which are superficial in nature and wounds were found on their body. It has lastly been submitted that the petitioner has one criminal antecedent and he is in custody since 29.09.2025.

5. The learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the aforesaid submission, facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond 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 Buniyadganj P.S. Case No. 296 of 2025, subject to the following conditions:-

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

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner



will be liable to be cancelled by the court concerned.

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

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. 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. Accordingly, the prayer for bail is allowed.

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

(Sourendra Pandey, J)

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