IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47482 of 2026

Arising Out of PS. Case No.-23 Year-2026 Thana- BHADAUR District- Patna

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1. Lallu Mahto S/o- Late Kapil Mahto Resident of Village- Bakawa, Bigha, P.S.- Bhadaur, District- Patna
2. Swarath Mahto S/o- Late Kapil Mahto Resident of Village- Bakawa, Bigha, P.S.- Bhadaur, District- Patna
3. Jogindra Mahto @ Yogendra Mahto S/o Swarth Mahto Resident of Village- Bakawa, Bigha, P.S.- Bhadaur, District- Patna

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Anil Kumar Singh, Ad.
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR
CAV ORDER

4 20-08-2026 **Date : -08-2026**

Heard learned counsel for the petitioners and learned APP for the State.

2. The Petitioners seek regular bail in connection with Bhadaur P.S. Case No. 23 of 2026, G.R. No. 313 of 2026, registered for the offences punishable under Sections 126(2), 115(2), 109, 351(2), 352 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. As per the prosecution case, the informant, namely, Ramanuj Singh, lodged a written report alleging that on 14.02.2026 at about 06:00 P.M., while he was returning towards his house, the accused persons intercepted and assaulted him. It

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is alleged that petitioner no.1 assaulted the informant with a Khanti on his head, whereas petitioner nos.2 and 3 are alleged to have resorted to firing from firearms. It is further alleged that about four months prior to the alleged occurrence, petitioner no.1 had demanded Rs.5,00,000/- as extortion from the informant and had threatened him with dire consequences.

4. Learned counsel appearing for the petitioners submits that the petitioners are innocent and have been falsely implicated in the present case on account of village politics and previous dispute. It is submitted that there has been a delay in lodging the FIR, inasmuch as the alleged occurrence took place on 14.02.2026 at about 06:00 P.M., whereas the FIR has been lodged on 16.02.2026 without any explanation, which itself create doubt on prosecution version. He further submits that according to the FIR, though the petitioner No. 1 alleged to have inflicted Khanti blow on the head of the informant but the injury report does not support the allegation, as according to injury report the informant sustained altogether five injuries but the allegation against the petitioner appears to be of single blow and no repetition of Khanti blow attributed to him. It is further submitted that petitioner Nos. 2 and 3 are alleged to have fired upon the informant, but the informant did not sustain any

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firearm injury as is evident from injury report. It is also submitted that the petitioners have no criminal antecedent and are in custody since 14.05.2026.

5. Learned APP for the State opposes the prayer for bail and submits that there are specific allegations against the petitioners regarding their participation in the alleged occurrence. He submits that petitioner no.1 is specifically alleged to have assaulted the informant with Khanti on his head as a result of which informant sustained altogether five injuries and the Doctor has opined that the injury sustained by the informant are caused by a hard and blunt substance and they are also opined to be grievous in nature. As regards petitioner Nos. 2 and 3 are concerned they are alleged to have open fire upon the informant with intention to kill him but somehow he managed to save his life.

6. Learned APP further submits that the allegation against the petitioners is serious in nature and the occurrence involves assault as well as use of firearm. He further submits that the injuries sustained by the informant are grievous in nature and, considering the nature of accusation and the manner of occurrence, the petitioners do not deserve the privilege of regular bail.

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7. Considering the specific nature of accusation of assault against the petitioner causing the informant multiple injuries on his head which is a vital part of the body and they are opined to be grievous in nature corroborating with the allegation levelled in the FIR as well as the allegation of firing with intention to kill the informant, this Court is not inclined to grant the privilege of regular bail to the petitioners.

8. Accordingly, the prayer for regular bail of petitioners are hereby rejected.

(Girijish Kumar, J)

amit/-

AFR/NAFR	
CAV DATE	17.08.2026
Uploading Date	20.08.2026
Transmission Date	

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