IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58185 of 2026

Arising Out of PS. Case No.-40 Year-2026 Thana- Mathurapur District- Samastipur

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Punit Mahto Son of Late Rameshwar Mahto Resident of Village - Akbarpur Ward no. 12, Police Station - Mathurapur, District - Samastipur.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Shashank Shekhar, Advocate
For the Opposite Party/s : Mrs. Gulnar Begum, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 20-08-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Mathurapur P.S. Case No. 40 of 2026, instituted for the offences punishable under Sections 126(2), 115(2), 74, 109(1), 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that the petitioner and his son allegedly called the informant's husband and assaulted him with an iron rod, causing a head injury and also assaulted the informant with malicious intent.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from

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the conscious possession of the petitioner. Learned counsel for the petitioner also submits that there is delay of five days in lodging the FIR. It is next submitted that the allegation levelled against the petitioner is general and omnibus in nature. The petitioner has been implicated in this case due to blackmailing nature of the informant and existing monetary dispute. The petitioner is in custody since 16.05.2026 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail ***after framing of charge, if not already framed,*** on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Mathurapur P.S. Case No. 40 of 2026, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

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(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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