

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, BEGUSARAI

A.B.A. No. 768/2026

Ref:- Arising out of Bachhwara P.S. Case No. 33/2026

Dt: 02.02.2026

U/S- 115(2), 126(2), 119(1), 109, 303(2), 352, 351(2) & (3), 3(5) of B.N.S. & 27 of Arms Act.

In the matter of :-

**Rahul Mahton, S/o Chamru Mahton, R/o vill. Murlitol Panchayat, Govindpur-3,
P.S. Bachhwara, Distt. Begusarai**

.....Petitioner

Vrs.

The State of Bihar

.....Opposite Party

Present:- Rishi Kant

Principal Sessions Judge, Begusarai

Ld. Counsel for the petitioner :- Sri Anil Kumar, Adv.

Ld. Counsel for the O.P. :- Ld. P.P. I/C

Date of order:-03.06.2026

ORDER

An anticipatory bail petition has been filed on behalf of above named accused/petitioner who is apprehending his arrest in connection with above mentioned case registered u/s 115(2), 126(2), 119(1), 109, 303(2), 352, 351(2), 351(3), 3(5) of B.N.S. & 27 of Arms Act, and the same has been put up for hearing.

Heard Learned Counsel Sri Anil Kumar appearing on behalf of accused/petitioner and learned P.P. I/C for the State.

Prosecution case, in short, is that on 24.01.2026 at about 07.30 p.m informant and his father were on his shop then all the accused persons namely Shyam Sundar Sharma, Rahul Mahton and Golu Kumar @Fourji came at his shop on the gun point abusedhim. The informant opposed them then accused Shyam Sunder Sharma asaault informant with butt of pistol due to which he sustained injury and fell down, the accused Rahul Kumar and Golu Sharma catch the collar and pull the father of informant out of his shop. Then both accused theft the cash of Rs.10,000/- and broken the articles of his shop. Accused Golu Kumar @ Fourgi broken his motorcycle with bricks. When villagersgatheredthen all accused filed away. Accordingly, the present case has been registered.

The Ld. Counsel appearing on behalf of accused/petitioner has submitted that the petitioner has not moved any other bail petition in any court of law. It is further submitted that petitioner is innocent, has committed no offence, and has falsely been implicated in this case due to village politics. It is further submitted that no any arms has been recovered from the conscious possession or premises of the petitioner hence, no case is made out u/s 109 of B.N.S and 27 of Arms Act. Section 303(2) of B.N.S is gneneral, omnibus and ornamental and not specific against the petitioner. The petitioner has no criminal antecedent. Lastly, it is submitted that the petitioner has is willing to abide all the conditions imposed by the court. Therefore, he may be released on bail.

Per contra, the Ld. P.P I/C appearing on behalf of State vehemently opposed the prayer for bail.

Heard the learned counsels for the parties, and perused L.C.R and the

photocopy of case diary. As per F.I.R, the allegation against the petitioner is that he, along with other co-accused persons, assaulted the informant and his father. From perusal of material available on record it appears that there is general and omnibus allegation and no specific allegation against the petitioner. Further, from perusal of injury report, it appears that the injuries sustained by the victim are found to be simple in nature.

Considering the aforesaid facts and circumstances of the case, let the petitioner be directed to be released on bail in the event of arrest or surrender before the learned court below within a month from the date of order on furnishing of bail bond of Rs. 10,000/- (Ten thousands) each with two sureties of like amount each subject to the satisfaction of learned court below in Bachhwara P.S. Case No. 33/2026 on the following conditions that-

1. The petitioner will make himself available for interrogation by a police officer/court as and when required,
2. The petitioner shall not directly or indirectly make any inducement, threat, promise to any person acquainted with the facts of the case as to dissuade them from disclosing of such fact to the court or any police officer.

(Dictated)

Sd/-

(Rishi Kant)

Principal Sessions Judge, Begusarai

Date of Judgment/Order	03.06.2026
Date of Reserving Judgment/Order	N.A.
Uploading Date	04.06.2026
Uploaded by	Rahul Verma