

In the Court of Sh. Arun Kumar-II
Additional Sessions Judge-V, Begusarai
A.B.A. No.1236 of 2026
Matihani P.S. Case No. 168/25
Pawan Mahto vs State of Bihar

16.06.2026-

Today case record was produced before me. Case called out.

Ld. Counsel on behalf of the petitioner and Ld. A.P.P. on behalf of the state are present. Heard on the bail petition, of **Pawan Mahto in connection with Matihani P.S. Case No. 168/25** registered u/s 310(2), 317(5) of BNS and 25(1-b)a, 26, 35 of Arms Act.

Ld. Counsel on behalf of the petitioner submitted that, in this matter of Matihani P.S. Case No. 168/25, a bail petition of six co-accused, have already been decided by the Court of Ld. Sessions Judge. As per Ld. Counsel for the petitioner the bail petition of this petitioner Pawan Mahto also should be heard and disposed off by the same Court, but unfortunately this bail petition has been transferred by the Court of Ld. Sessions Judge arbitrarily to this Court in violation to the provisions of law as well as orders of the Hon'ble superior courts, including Hon'ble Apex Court of India. Ld. counsel for the petitioner seeks indulgence of this court to pass appropriate order.

Ld. APP on behalf of the State submitted that to maintain the uniformity in orders this bail petition should be decided by the Court of Ld. Sessions Judge.

Heard by considering the aforesaid facts, and to maintain the uniformity in orders as per ratio laid down by the Hon'ble Supreme Court U/A- 141 of the constitution, and also the uniform legal positions adopted by the Patna High Court, this bail application should be heard and disposed off by the same Court, i.e. Ld. Sessions Judge.

So, in the interest of justice and to avoid the conflicting orders and to abide the various directions / guidelines and orders of the Hon'ble Supreme Court, U/A- 141 of the constitution, O/c is directed to send a report in this regard to the Ld. Court of Sessions Judge to recall this bail application. Further for the purpose of report, this order be treated as the report of this court. No separate report is required to be furnished for the same purpose.

Put up on **18.06.2026** for awaiting appropriate order from the Ld. Sessions Judge.

(Dict. & Corrected)



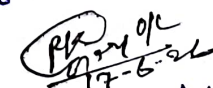
(Arun Kumar-II)

Addl. Sessions Judge-V

Begusarai

Memo No.- 55 Dated-17/06/26

copy is being sent to the Ld. Sessions Judge, Begusarai to recall the A.B.A. No-1236 of 2026.



By order of the court.