

In the Court of Addl. Sessions Judge, Manjhaul (Begusarai)
B.A No-448/2026
Khodawandpur P.S. Case No- 100/2025

In the matter of :

Binod Mahto @ Binod Kumar Mahto, S/o- Police Mahto
R/o- Vill-Tara Bariyarpur, P.S- Khodawandpur, Dist- Begusarai.
Vs.
State of Bihar

Ld. counsel for the petitioner: Md. Sakil Ahmad, Id. Adv
Ld. counsel for the State: Sri Rakesh Kumar, Id. A.P.P.

Date of Order- 02nd June, 2026

Present:-
Sanjay Kumar Singh
Addl Sessions Judge,
Subdivisional Civil Court,
Manjhaul, Begusarai

1. The petitioner namely Binod Mahto @ Binod Kumar Mahto seeks regular bail in connection with Khodawandpur P.S. Case No- 100/2025 registered for the offences punishable under sections 25(1-B)a, 26, 35 Arms Act. The copy of same has been served to the Ld. APP for state. Ld. counsels for the party have been exhaustively heard.

2. The case of the prosecution is in written application of one S.H.O. Chandan Kumar informant of the case, who stated that on 18.11.2025 at 12.10 pm he received a secret information that the accused Vinod Mahto who is accused of firing shots near Bariyarpur Paschim Panchayat Bhawan, has given his arms and ammunition to his friend Nirdosh Kumar to hide, which was used in the firing and if Nirdosh Kumar is apprehended, the said weapons will be recovered. Then after informing his senior, the informant registered a Sanha and went at the shop of Nirdosh Kumar with police force for verification of said information and necessary action. He apprehended the accused Nirdosh Kumar, who on asking, disclosed the name of other co-accused Vinod Mahto and Abhishek Prasad, who were involved in the incident of firing shots. On the instance of Nirdosh Kumar the informant recovered one country made pistol and two live cartridges of

0.315 bores from the house of Nirdosh Kumar, which accused Vinod Mahto gave him after committing the firing incident.

3. Learned counsel for the petitioner submitted that the petitioner is quite innocent and has not committed any offence. An Anticipatory Bail application filed on behalf of accused petitioner which is rejected vide A.B.A No. 2534/25 dated 21.01.2026. The petitioner has four criminal cases i.e. 1. Khodawandpur P.S Case no. 100/26, u/s- 25(1-B)A,26,35 of Arms Act. 2. Khodawandpur P.S Case no. 120/2010, 3. Khodawandpur P.S Case no. G.R No. 378/17 and 4. Khodawandpur P.S Case no. 99/25. The accused petitioner is in custody since 10.03.2026. The entire prosecution case is false and fabricated and petitioner is falsely implicated in this case due to previous enmity and village politics. On 18.03.2026 Ld. SDJM Manjhaul rejected the bail application of accused petitioner. No any cartridge recovered by the Police on spot. The accused petitioner remanded in this case from Khodawandpur P.S Case No. 99/2025 on 10.03.2026. The co-accused had been granted bail by this Ld. Court vide B.A No. 76/26 dated 21.02.2026 and B.A No. 1801/2026 dated 27.01.2026 respectively. On these grounds the Ld. counsel prays that the petitioner be admitted to regular bail.

4. Learned counsel for the state opposed the prayer of regular bail to the petitioner.

5. Heard Ld. counsels and perused the case record. At the outset it be mentioned that the LCR was called for and the same has been annexed with the record for perusal. On perusal of FIR, case diary and other material available on judicial record this case was registered for the offences punishable under sections- 25(1-B)a, 26, 35 Arms Act against the accused persons. The petitioner is named in this case and the allegation against him is that the arrested accused Nirdosh Kumar said to police that petitioner gave him a pistol and two cartridges to hide. As per seizure-list no recovery of arms & ammunition was made from the possession of the petitioner. As per the report of I.O. submitted during hearing of bail, the petitioner having four criminal cases out of which the fourth one i.e.- Khodawandpur P.S. Case no.99/2025 is arisen from the present case.

*P.O-Sanjay Kumar Singh,
(Addl.S.J., Manjhaul)*

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Petitioner is in custody since 10.03.2026. As per para-50 of supplementary case diary charge sheet has been submitted against the petitioner and there is no objection from the side of the prosecution that the petitioner is in position to influence the witnesses of the prosecution. Hence, considering the facts and circumstances of the case as well as period of custody, I am of the opinion that the petitioner deserves bail. Thus, the petition stands allowed, the petitioner is directed to release on bail on furnishing bail bond of Rs. 10,000/-with two sureties of the like amount each to the satisfaction of Id. Court below with conditions:1. Bail bond will be furnished after framing of charge, 2. The petitioner shall extend his complete cooperation in trial of the case and shall not misuse his liberty nor tamper with evidence. If there be any violation of the aforesaid conditions, the prosecution may proceed for cancellation of the bail.

Opinion and views expressed herein above shall not affect the merits of the case during trial.

Dictated

**Sanjay Kumar Singh
Addl. S.J., Manjhaul**