

IN THE COURT OF ADDITIONAL SESSIONS JUDGE-IV, JAMUI

B.A.NO.- 364/2026

Bhuneshwar Mahto @ Birju Mahto

Vs.

State of Bihar

IN THE COURT OF ADDITIONAL SESSIONS JUDGE-IV, JAMUI

B.A.NO.- 364/2026

Arising out of Chandradeep P.S Case No. 68/2026
U/S- 115(2), 126(2), 117(2), 109, 351(2), 352, 3(5) of B.N.S

Learned counsel for the Petitioner.....Sri Sunil Kumar, Advocate
Learned counsel for the State.....Sri Dhiraj Kumar Singh, A.P.P.

PRESENT-PRABHAT KUMAR SRIVASTAVA
DISTRICT AND ADDL. SESSIONS JUDGE-IV, JAMUI
DATE OF ORDER- 18th, June 2026

ORDER

18-06-2025

Regular bail application dated 27-05-2026 filed on behalf of petitioner Bhuneshwar Mahto @ Birju Mahto S/o Jichcha Mahto R/o Village- Dhanama, P.S.- Chandradeep, District- Jamui in connection with Chandradeep P.S Case No. 68/2026, U/S- 115(2), 126(2), 117(2), 109, 351(2), 352, 3(5) of B.N.S, is put up before me for order today. Petitioner is in custody since 20-04-2026.

The prosecution case in brief as per F.I.R is that on 19-04-2026 at about 08:30 A.M informant Bablu Kumar along with his friend namely Rupesh Yadav and Nuneshwar Yadav went to village Dhamna on call of his friend Vivek Raj @ Sudhir Kumar @ Murga Mahto. Vivek Raj had Rs. 3,500/- and a mobile phone of informant's maternal uncle Brahmdeo Yadav. Informant demanded money and phone from Vivek Raj but he refused to give it back to him and started abusing and assaulting informant. When informant and his friends opposed them petitioner Bhuneshwar Mahto who is the father of Vivek Raj along with six-seven unknown persons surrounded the informant and his friends and abused and assaulted them. When informant tried to run away from that place, they altogether assaulted informant from lathi and danda due to which he fell unconscious on the ground. He gained conscious after arriving at hospital.

Learned counsel for the petitioner submitted that he is quite innocent and has committed no offence and he has falsely been implicated in this case with an ulterior motive. He further submitted that no bail application either anticipatory or regular on behalf of the petitioner has been filed or rejected either by the Sessions Court or by the Hon'ble High Court Patna earlier. The petitioner is in custody since 20-04-2026. The petitioner has not been given benefit of provision contained U/s- 35(3) of B.N.S.S. There is no injury report in the Case-diary. There is no criminal antecedent against the petitioner, thus it is submitted that he may be allowed bail.

On the other hand learned A.P.P. opposed the bail application and submitted to reject the same.

Heard the submission made by both the parties. On perusal of case record it transpires that there is allegation against the petitioner that he along with six-seven persons assaulted informant on his head. The petitioner is the father of accused Vivek Raj. The petitioner is in custody since 20-04-2026. There is no injury report on record. Even after giving several opportunity the prosecution could not produce the injury report. There is general and omnibus allegation against the petitioner. So, in the light of facts and circumstances of the case and taking into account the

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fact that there is no injury report in the Case-diary and the petitioner is in custody since 20-04-2026, I am of the view to allow bail to the petitioner. Accordingly, the petitioner is ordered to be released on bail on furnishing a bail bond of Rs. 20,000/- with two sureties of like amount each to the satisfaction of Ld. trial court with condition that one of the bailor will be family member/close relative of the petitioner. The petitioner will remain physically present before court when ordered so and he will co-operate in investigation and trial.

Sd/-

**District & Addl. Sessions Judge-IV,
Jamui**

Copy forwarded to the court of Ld. A.C.J.M-I, Jamui. In reference to Chandradeep P.S Case No. 68/2026.

**District & Addl. Sessions Judge-IV,
Jamui**

Date of judgment/order	18 th , June 2026
Date of reserving judgment/order	Nil (same date)
Uploading date	18 th , June 2026
Uploaded by	Shraddha Sharma