

In the court of Mahesh Kumar, District & Additional Sessions Judge-1st, Sheohar
B.P. Case No. 58/2026
Fatehpur, P.S. Case No. 21/2026
Rakesh Mahto Vs. State of Bihar

ORDER

16.05.2026

The bail petition dated 27.04.2026 has been filed on behalf of the petitioner namely **Rakesh Mahto**, who is in judicial custody since 21.02.2026, in connection with Fatehpur, P.S. Case No. 21/2026 registered for the offence u/s 303(2), 334(1) of BNS, and the same has been put today for the order.

The prosecution case in brief is that, the informant has given the statement before police that he conducts business of E-risksaw, E-risksaw's Parts and Battery. In the night of 26.01.2026 approximately 35 batteries were stolen from his two shops after cutting the locks of shutter. Hence the case.

The Learned counsel for the petitioner submitted that petitioner is innocent and he has committed no offence whatsoever as alleged. It is further submitted that the prosecution case as alleged is false, frivolous, baseless and concocted. Co-accused Aminish Kumar @ Aminish Giri has been granted bail by this Court in B.P No 34 / 2026. The petitioner is respectable person of the locality and sound sureties are ready to stand his bailors. It is, therefore, prayed that the petitioner should be allowed bail.

The Ld. Special P.P. opposed the anticipatory bail application and stated that he has committed the offences U/s 303(2), 334(1) of BNS. Therefore, the bail application of the petitioner / accused person should be rejected.

Heard both the parties and perused the record.

After perusal of the F.I.R it is clear that the case has been instituted U/s 303(2), 334(1) of BNS. From perusal of case record, it

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appears that the accused / petitioner has not been arrested from the spot. The petitioner is not named in the FIR. Co-accused Aminish Kumar @ Aminish Giri has been granted bail by this Court in B.P No 34 / 2026. The petitioner is in judicial custody since 21.02.2026. The investigation has been completed and charge sheet has been submitted in this case. There is no chance of tempering with the evidence.

Thus, considering the facts and circumstances of the case the accused / petitioner **Rakesh Mahto** is ordered to be released on bail after furnishing bail bonds of Rs. 10,000 (Ten Thousands) with two sureties.

(Dictated)

S/d

District & Additional Sessions Judge-1st,
Sheohar
16.05.2026