

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5360 of 2025

Arising Out of PS. Case No.-403 Year-2024 Thana- RUNISAIDPUR District- Sitamarhi

1. Jyoti Kumar Mahto @ Shivjyoti Kumar Son of Shiv Shankar Mahto, Resident of village- Belahi, PS- Runni Saidpur, District- Sitamarhi
2. Sagar Mahto @ Sagaram Hata Son of Late Birju Mahto, Resident of village- Belahi, PS- Runni Saidpur, District- Sitamarhi
3. Golu Kumar Son of Naresh Mahto, Resident of village- Belahi, PS- Runni Saidpur, District- Sitamarhi
4. Sandip Kumar @ Sanjit Kumar Son of Naresh Mahto, Resident of village- Belahi, PS- Runni Saidpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dwij Raj, Advocate
For the State : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 15-02-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail, apprehending their arrest, in connection with Runnisaidpur P.S. Case No. 403 of 2024, dated 10.11.2024, registered for the offences punishable under Sections 126(2), 115(2), 303(2), 352 and 3(5) of B.N.S., 2023.

3. As per allegation, the accused-petitioners were cracking some fire crackers on the occasion of Chhath and when the informant prohibited them from doing such acts, they entered into the house of the informant and assaulted him. They



have also stolen Rs.1,00,000/- from the house of the informant.

4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that allegation against the petitioners is omnibus and general in nature. He further submits that the informant and the petitioners are next door neighbour and on account of enmity, the present case has been filed.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioners have no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners, above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection



with Runnisaidpur P.S. Case No. 403 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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