

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10616 of 2025

Arising Out of PS. Case No.-99 Year-2024 Thana- GOGRI District- Khagaria

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1. Girish Mahto S/o- Late Nepali Mahto R/O-Village- Mathurapur, P.S. Gogari, Distt. Khagaria
 2. Babita Devi W/o- Ladoo Mahto Village- Mathurapur, P.S. Gogari, Distt. Khagaria
 3. Diwakar Kumar S/o- Late Arun Mahto Village- Mathurapur, P.S. Gogari, Distt. Khagaria
 4. Laddu Mahto S/o- Shiv Mahto Village- Mathurapur, P.S. Gogari, Distt. Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-03-2025 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 341, 323, 325, 307, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, while the informant was at his door, all the FIR named accused persons including these petitioners came there and assaulted the informant and when his son came to rescue, he too was assaulted by the accused persons. Petitioners no. 1 and 4 caused grievous injuries



on the head of the informant by means of Khanti and Kudal. Co-accused Jyotish Kumar fired upon the informant with country made pistol but the same did not hit the informant.

4. It is submitted on behalf of the petitioners that allegation of assault is general and omnibus and no specific overt act has been alleged against these petitioners. Injuries caused by petitioners no. 1 and 4 are grievous, whereas injuries caused by petitioners no. 2 and 3 are simple in nature. Petitioners claim clean antecedent.

5. Learned counsel for the State opposes the prayer for bail.

6. Considering the fact that petitioners no.1 and 4 caused grievous injuries on the head of the informant, their prayer for bail is rejected.

7. Since, injuries caused by petitioners no.2 and 3 are simple in nature, prayer for bail of these petitioners is allowed. In the event of arrest/surrender within eight weeks from today, let petitioners no. 2 and 3, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Khagaria in Supplementary Gogari Police Station Case No. 99 of 2024, subject to the conditions



laid down under section 438(2) of the Code of Criminal
Procedure.

(Prabhat Kumar Singh, J)

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