

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10617 of 2025

Arising Out of PS. Case No.-267 Year-2023 Thana- MADHUBAN District- East Champaran

Rajesh Mahto @ Rajesh Kumar S/o- Yadu Mahto Resident of Village-
Madhuban Dih PS-Madhuban District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 20-06-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Madhuban P.S. Case No. 267 of 2023 for the offence under Sections 147, 148, 325, 427, 149, 341, 323, 324, 307, 354-B, 379, 504 and 34 of the Indian Penal Code, lodged on 13.06.2023 by the informant Prabhawati Devi.

3. As per the prosecution story, the informant alleged that while sitting at her door, the accused came and after abuse, assaulted her as also outraged her modesty. When the son came to rescue, he was stabbed in the stomach by Umesh Mahto and Manoj Mahto. While Ramkrit Mahto and Harinarayan Mahto stabbed him in the leg as also fractured his left hand. When Virendra Kumar came to rescue, he was also assaulted by iron rod. Similar is the accusation against Munnilal Kumar, Rahul Kumar and Ramanand Mahto of assaulting Awara Mahto. They also damaged the motorcycle and took away the cash amount.



Injured persons were shifted to Primary Health Center, Madhuban and then to Sadar Hospital, Motihari. This led to the FIR.

4. Learned counsel for the petitioner submits that specific role has not been assigned to him which is/are attributed to other persons, he has no criminal antecedent and similar situated co-accused persons have been extended relief vide an order dated 02.04.2025 in Cr. Misc. No. 88066 of 2024.

5. Learned APP opposes the prayer though accept that the injury has been found to be simple in nature.

6. Taking into account the submissions of the parties as also that the petitioner do not have any criminal antecedent and other accused persons have been granted relief, as stated above and the injury has been found to be simple in nature, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Madhuban P.S. Case No. 267 of 2023 subject to the conditions as laid down under



Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

U		T	
---	--	---	--

