

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14779 of 2025

Arising Out of PS. Case No.-274 Year-2024 Thana- BATHNAHA District- Sitamarhi

1. Ravindra Kumar, Male, Aged About 43, Son of Late Rajdeo Mahto
2. Virendra Mahto @ Virendra Singh, Male, Aged About 55 Years, Son of Late Rajdeo Mahto
3. Surendra Mahto @ Surendra Singh, Male, Aged About 63 Years, Son of Late Rajdev Mahto
4. Ram Lakshman Singh, Male, Aged About 60 Years, Son of Brhamdev Mahto
5. Nithish Kumar Singh @ Nitish Kumar, Male, Aged About 23 Years, Son of Ram Lakshman Singh
6. Om Prakash Kumar, Male, Aged About 30 Years, Son of Ram Laxman Singh
All Resident of Village- Bakhari, Ward No. 11, P.O- Yogiwana Bazar, P.S- Bathnaha, District- Sitamarhi, PIN Code- 843322 (BIHAR).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 03-09-2025 Heard Mr. Uday Kumar, learned counsel appearing on behalf of the petitioners and Mr. Ram Priya Sharan Singh, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Bathnaha P.S. Case No. 274 of 2024, registered for the offence punishable under Sections 341, 324, 325, 307, 379, 354, 504, 506, 34 and 323 of the Indian Penal Code.

3. As per the allegation made in the FIR, petitioners along with other accused persons, with a common intention, had



assaulted the informant and his family members causing grievous injuries.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case. Specific allegation against petitioner no. 5, namely, Nitish Kumar Singh is that he had assaulted the son of the informant causing fracture on his hand. General and omnibus allegation has been levelled against petitioners no. 1 to 4 and 6. Due to land dispute, an altercation took place and both the sides entered into fierce fight and in the self-defence, petitioner may have caused some injury on the persons of the informant and his family members without intention. Petitioners have clean antecedent. On these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the case diary and the FIR, I find that there is direct allegation of assault against the petitioners no.5, namely, Nitish Kumar Singh @ Nitish Kumar, who had assaulted the son of the informant causing fracture on his hand. I am not inclined to enlarge the



petitioners no.5.

7. So far as petitioners no. 1 to 4 and 6 are concerned, general and omnibus allegation has been levelled against them. The petitioners no. 1 to 4 and 6, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Sitamarhi, in connection with Bathnaha P.S. Case No. 274 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS.

8. **The learned District Court is directed to verify the criminal antecedent of the petitioners no. 1 to 4 and 6 as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners no. 1 to 4 and 6 as what has been stated in paragraph no. 3, this order will lose its force automatically.**

(Purnendu Singh, J)

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