

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18611 of 2025

Arising Out of PS. Case No.-126 Year-2023 Thana- RAXAUL District- East Champaran

1. Sushil Kumar, S/O Rajesh Mahto, Resident of village- Haraiya, P.S.- Raxaul, (Haraiya O.P.), District- East Champaran
2. Omji Kumar, S/O Rajesh Mahto, Resident of village- Haraiya, P.S.- Raxaul, (Haraiya O.P.), District- East Champaran
3. Rajesh Mahto @ Rajesh Prasad, S/O Late Patilal Mahto, Resident of village- Haraiya, P.S.- Raxaul, (Haraiya O.P.), District- East Champaran
4. Parash Kushwaha @ Paras Mahto, S/O Late Inardeo Mahto @ Indradeo Mahto, Resident of village- Tumariya Tola, P.S.- Raxaul, (Haraiya O.P.), District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate
		Mr. Hemant Ray, Advocate
For the Opposite Party/s :		Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 18-04-2025 Heard Mr. Abhishek Kumar, learned counsel for the petitioners and Mr. Upendra Kumar, learned APP for the State.

2.The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Raxaul (Haraiya) P.S. Case No. 126 of 2023 instituted for the offence under Sections 341, 323, 354(B), 379, 504, 506 and 34 of the Indian Penal Code.

3. The case of the prosecution is that all the petitioners being armed with *lathi*, *kudal* and iron rod arrived and started abusing the informant. When the informant objected,



they started assaulting him. It is further alleged that the accused persons snatched the golden chain of Bablu Kushwaha and they were threatened of dire consequences. It is also alleged that all the accused persons pulled the *saree* of Pratima Devi, the wife of the informant.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. It has further been submitted that after investigation, the police has filed final form against the petitioner nos. 1 and 4 but learned trial Court has taken cognizance against all the accused persons. It has also been submitted that from perusal of the injury report, it will transpire that all the victims of this case have received simple injury caused by hard and blunt substance. Petitioners are having no criminal antecedent.

5. Learned APP appearing for the State has opposed the prayer of bail of the petitioners.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest



or surrender in connection with Raxaul (Haraiya) P.S. Case No. 126 of 2023, they will be enlarged on bail 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 Sub-Divisioanl Judicial Magistrate, Raxaul, East Champaran, Motihari, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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