

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23224 of 2025

Arising Out of PS. Case No.-321 Year-2024 Thana- CHOUTARWA District- West
Champaran

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Suneshwar Mahto Son of Chhathu Mahto Resident of Village - Raibari,
Mahuava, P.S.- Chautarwa, District - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jhunni Devi Wife of Dukhi Sah Resident of Village - Raybari, Mahua, P.S.-
Chautarwa, District - West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Suresh Prasad Sharma, Advocate.
For the Opposite Party/s : Mr. Ajit Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 20-08-2025 Heard Mr. Suresh Prasad Sharma, learned counsel

appearing on behalf of the petitioner and Mr. Ajit Kumar,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Chautarwa P.S. Case No. 321 of 2024 registered for the
offence punishable under Sections 126(2), 115(2), 118(1), 76,
303(2), 352 and 3(5) of the BNS and Section 8 of the POCSO
Act.

3. As per the allegation made in the F.I.R., the
petitioner had tried to commit wrong with the minor daughter of
the informant and also assaulted the son of the informant
causing injury on the vital part of the body i.e. head.

4. Learned counsel appearing on behalf of the
petitioner submitted that the informant has admitted in the F.I.R.



that there is a dispute between the parties relating to land which led to lodging of the present F.I.R. to falsely implicate the petitioner on false accusation. The petitioner is aged about 64 years and has not committed any illegal act as alleged in the F.I.R. The parties have entered into compromise. On these ground, learned counsel seeks that the petitioner be released on pre-arrest bail.

5. Learned APP for the State has opposed the prayer for pre-arrest bail to the petitioner and submitted that the victim has supported the prosecution story in her statement recorded under Section 183 BNSS and as such the petitioner don't deserve to be released on pre-arrest bail.

6. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the F.I.R. though there is admitted land dispute between the parties, but in view of the statement of the victim recorded under Section 183 BNSS, I find that she has supported the prosecution story, I am not inclined to enlarge the petitioner on pre-arrest bail.

7. The bail application stands dismissed.

(Purnendu Singh, J)

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