

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20824 of 2025

Arising Out of PS. Case No.-110 Year-2024 Thana- KHUTAUNA District- Madhubani

Jitendra Mahto S/o Vinod Mahto R/o Village- Sirsiya, P.S.- Khutauna,
District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. The state of Bihar Advocate general Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Adv.
Mr. Vinod Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 30-04-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Khutauna P.S. Case No. 110 of 2024 for the offence registered under sections 126(2), 115(2), 118(1), 109, 303(2), 352, 351(2), 3(5) of BNS lodged on 05.08.2024 by the informant Rampravesh Mahto.

3. As per the prosecution story, the informant alleged that the accused persons armed variously came and thereafter allegation is that the informant was assaulted by Sunita Devi while the father of the informant was assaulted by this petitioner on the head causing injuries. They were taken to Khutauna Hospital and later to Sadar Hospital, Madhubani for treatment,



which followed the FIR.

4. Learned Counsel for the petitioner has taken this Court to the injury report of the father of the informant, namely, Rampravesh Mahto and has submitted that the same is simple in nature, he do not have criminal antecedent and further without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner on its own would like to contribute towards the medical assistance of Rs. 10,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that allegation against him is of assaulting on the head of the informant's father.

6. Taking into account the aforesaid facts as also that the injury has been found to be simple in nature so far as the father of the informant is concerned, this petitioner has no criminal antecedent, is only 22 years of age, in that background, this Court is inclined to grant him the anticipatory bail with conditions subject to payment of Rs. 10,000/- to Rampravesh



Mahto as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to the Trial Court.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Jhanjharpur, Madhubani in connection with Khutauna P.S. Case No. 110 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *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 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 the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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