

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23468 of 2025

Arising Out of PS. Case No.-131 Year-2023 Thana- JURAWANPUR District- Vaishali

Bhagwan Mahto @ Sri Bhagwan Mahto son of Late Ramdas Mahto Resident
of Village -Raghopur Bindtoliya PS -Jurawanpur, Dist- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Arvind Kumar Singh, Advocate
For the Opposite Party/s :	Mr. Jitendra Kumar Singh, APP
For the Informant :	Mr. Ranjit Kumar Thakur, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-05-2025 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the informant.

02. In the present case, the petitioner seeks bail in connection with Jurawnpur P.S. Case No. 131 of 2023 registered for the alleged offences under Sections 341, 323, 337, 338, 324, 307 & 379/34 of the Indian Penal Code.

03. As per prosecution case, the petitioner stabbed the informant with knife. Earlier the co-accused persons assaulted the informant with bricks and stones.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner is own brother of the informant and there is dispute over right to way. The injury report shows only one



injury has been caused to the informant and the said injury is a stitched wound on left side of stomach. But there was no repetition and this shows there was no intention to cause death of the informant. Learned counsel further submits that the occurrence took place on 02.09.2023 but *fardbeyan* was recorded on 09.09.2023 and FIR was lodged on 15.09.2023. There is no satisfactory explanation for the delay. The petitioner is in custody since 03.10.2024 and charge-sheet has been submitted. The petitioner has got no criminal history.

05. Learned APP for the State as well as learned counsel for the informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that the petitioner used a big knife and caused a grievous injury to the informant which could have proved fatal if timely treatment was not given to the informant.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief



Judicial Magistrate-XIV, Vaishali at Hajipur in connection with
Jurawanpur P.S. Case No. 131 of 2025, subject to the conditions
mentioned in Section 480(3) of BNSS and the following
conditions:

- (i) Before accepting the bail of the petitioner, the
concerned court would verify the antecedent of
the petitioner, if it is found that the petitioner is
having criminal antecedent, his bail bond will not
be accepted.
- (ii) One of the bailors will be a close relative of
the petitioner.
- (iii) The petitioner will remain present on each
and every date fixed by the court below.
- (iv) In case of absence on three consecutive dates
or in violation of the terms of the bail, the bail
bond of the petitioner will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

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