

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23946 of 2025

Arising Out of PS. Case No.-178 Year-2024 Thana- BAHERA District- Darbhanga

Prabhas Kumar Mahto@ Prabhash Kumar Son of Lal Mahto Resident of
village - Radhiyam, P.O.- Nehra, P.S.- Bahera, District - Darbhanga, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rajendra Prasad Nat, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-05-2025 Heard Learned Counsel for the petitioner, Learned
APP for the State and Learned Counsel for the informant.

2. The petitioner is apprehending arrest in connection
with Bahera P.S. Case No. 178 of 2024 lodged on 23.05.2024,
for the offence punishable under Sections 341, 323, 324, 307 &
34 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against
two named accused persons including the present petitioner
against whom there is allegation that they have attacked on the
neck of the informant's son by knife due to which he sustained
injury and subsequently, referred to hospital.

4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel



submits that the present FIR has been lodged on 23.05.2024 for the occurrence on the same day, whereas, for the occurrence on 20.05.2024, FIR has been lodged by one Chandni Kumari who is sister of the petitioner against the informant's son. Counsel submits that sister of the petitioner in her statement under section 164 of the Cr.P.C. has disclosed the factual matrix of the case which has occurred at her house. Counsel submits that the informant has lodged the present case against the petitioner only to save his son from the earlier case lodged by the petitioner's sister in which his son was accused. Counsel submits that the petitioner has no criminal antecedent and whatever be the event occurred, it is only at the spur of moment.

5. Learned Counsel for the informant vehemently opposes the prayer for bail of the petitioner and submits that the injury has been caused to the informant's son only with a view to kill him but somehow, life of the informant's son was saved and his treatment is going on since last four months.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that victim has disclosed the entire event in her statement under section 164 of the Cr.P.C.

7. As such, considering the aforesaid facts and circumstances, let the above named petitioner be released on



bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M, Benipur, Darbhanga, in connection with Bahera P.S. Case No. 178 of 2024, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dr. Anshuman, J)

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