

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26706 of 2025

Arising Out of PS. Case No.-261 Year-2024 Thana- UCHKAGAON District- Gopalganj

Sanjay Mahto Son of Baburam Mahto Resident of Barari Jagsidh, P.S
-Uchkagaon, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Prasad, Advocate

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Uchkagaon P.S. Case No. 261 of 2024 dated 06.08.2024, instituted for the offence punishable under Sections 329(3), 126(2), 115(2), 118, 109, 74, 303(2), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The allegation against the petitioner is that, he assaulted on the head of mother-in- law of the informant by means of *Gadasa*.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that both the sides are agnates and there is a land dispute between the parties due to which the



petitioner has been falsely made accused in this case. It is next submitted that the injury sustained by the mother-in-law of the informant is found to be simple in nature caused by sharp weapon. Lastly, it has been submitted that petitioner has two criminal cases against him.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Uchkagaon P.S. Case No. 261 of 2024, he/they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.- IX, Gopalganj, District- Gopalganj, subject to condition as laid down under Section 482(2) of the B.N.S.S as also to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation,



preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

Sankalp/-

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