

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26875 of 2025

Arising Out of PS. Case No.-206 Year-2024 Thana- RAXAUL District- East Champaran

Jang Bahadur Mahto S/O Late Shiv Mandal Mahto @ Shiv Mangal Mahto
Resident Of Village - Kauwa Dhangad, P.S.- Raxaul, Distt.- East Champaran,
Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Ranjan, Adv.
For the Opposite Party/s : Mr.Abhay Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner seeks bail in connection with

Raxaul P.S. Case No. 206 of 2024 instituted for the offences

under Sections 341, 323, 307, 504, 34 of the Indian Penal

Code.

3. The petitioner has earlier moved before this Court

with a prayer for anticipatory bail which was rejected by a Co-

ordinate Bench of this Court vide order dated 12.11.2024

passed in Cr. Misc. No. 74860 of 2024.

4. As per prosecution case, the accused persons

including the petitioner armed with sticks, rods and various



weapons reached at the Informant's house and assaulted the Informant and his father severely due to which both of them sustained severe injuries over their bodies.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. There is delay of nine days in lodging the F.I.R. without disclosing the plausible explanation for such delay which creates doubt in the veracity of the prosecution case. There is no direct or specific allegation of any overt act against the petitioner rather the same is general and omnibus in nature. The petitioner has no concern with the alleged occurrence. Learned counsel for the petitioner further submits that the police submitted final form no. 20 of 2025 on 04.01.2025, exonerating both the daughters of the petitioner from all the charges in connection with the present case which shows that the petitioner has been falsely implicated in the present case and the accusations are without merit. There is no corroborative evidence or witness testimony to support the Informant's version of the occurrence. The petitioner has no



criminal antecedent and is languishing in judicial custody since 08.12.2024 without any rhymes or reason. Learned counsel for the petitioner again submits that the co-accused persons have been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 12.11.2024 passed in Cr. Misc. No. 74860 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Court below/concerned Court in connection with Raxaul P.S. Case No. 206 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.



(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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