

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26474 of 2025

Arising Out of PS. Case No.-157 Year-2024 Thana- SRINAGAR District- West Champaran

1. Ramprit Mahto Son of Rakatu Mahto Resident of Village - Ranaha Ward No.- 11, Police Station - Srinagar District - West Champaran.
2. Rajesh Prasad @ Rajesh Mahto Son of Rakatu Mahto Resident of Village - Ranaha Ward No.- 11, Police Station - Srinagar District - West Champaran.
3. Savita Devi Wife of Ramfal Mahto Resident of Village - Ranaha Ward No.- 11, Police Station - Srinagar District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sarvesh Kashyap, Advocate
For the Opposite Party/s : Mr. Prem Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-05-2025 Heard Mr. Sarvesh Kashyap, learned counsel for
the petitioners and Mr. Prem Kumar Jha, learned Additional
Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Srinagar P.S. Case No. 157 of 2024, F.I.R. dated 09.11.2024 for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 109, 117(2), 74, 303(2), 352 and 351(2) of the Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, all the accused persons including these petitioners abused the informant's sister and petitioner no. 1 assaulted to her and when the informant



protested then petitioner no. 2 assaulted him and petitioner no. 3 snatched gold chain from his sister's neck.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. Although there is specific allegation that the petitioner no. 1 has assaulted to the sister of the informant but the injury report of the injured person suggest that the injury is simple in nature. Petitioner no. 2 assaulted the informant but the injury report of the informant also suggest that the injury is simple in nature. Apart from that there is specific allegation against the petitioner no. 3 that she has snatched the gold chain from the neck of the sister of the informant. It appears from the F.I.R that due to dispute of drainage a fight took place between the parties and both sides have sustained injuries.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent and injuries inflicted upon the injured persons are found to be simple in nature, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the



date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Srinagar P.S. Case No. 157 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other following conditions:-

i. Petitioners shall co-operate 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 on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

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

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order



shall not be delayed for purpose of or in the name of
verification.

(Rajesh Kumar Verma, J)

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