

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29071 of 2025

Arising Out of PS. Case No.-235 Year-2024 Thana- KHAJAULI District- Madhubani

1. Vikash Kumar @ Vikash Kumar Mahto, S/O Indal Mahto, R/O Village- Datuar, P.S- Khajauli, Distt.- Madhubani.
2. Ranjeet Kumar @ Ranjeet Mahto, S/O Vijay Mahto, R/O Village- Datuar, P.S- Khajauli, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate
For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 15-05-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Khajauli P.S. Case No. 235 of 2024 registered for the offences punishable under Sections 124 (2), 115(2), 117(2), 109, 303(2), 329(4), 324(4), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. Based upon the written report, the prosecution alleges that on the fateful night while the informant was sleeping at his shop, in the meanwhile, 15-20 persons entered into his shop, out of which he recognized seven accused persons. The accused persons armed with various weapons started assaulting the son of the informant. However, when the



informant came to his rescue, it is specifically alleged that petitioner no.1 assaulted over the head of his son by means of rod, due to which he sustained head injury. Further there is omnibus allegation against all the accused persons of assaulting the another son of the informant and snatching of the valuables.

4. Learned Advocate for the petitioners contended that with respect to an occurrence, which took place on 06.10.2024, the F.I.R. came to be lodged on 14.10.2024 without there being any plausible explanation of delay. In fact, on account of previous enmity, the entire family members have been made accused in this case. No motive has been assigned for causing such occurrence; moreover, the injury report of all the three persons have categorically suggests that all of them have sustained simple injury, except one, which is sustained to the informant Dilip Yadav over his left hand. The petitioner no.1 bears one criminal antecedent, whereas petitioner no.2 has absolutely fair antecedent and they undertake that they will fully cooperate in the proceeding of the court.

5. On the other hand, learned APP for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the delay in lodging of the



F.I.R., coupled with the injuries and the undertaking, let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Madhubani in connection with Khajauli P.S. Case No. 235 of 2024, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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