

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29115 of 2025

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

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Raman Mahto S/O Matwar Mahto Resident of Village- Datuar, P.S- Khajauli,
District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 20-08-2025 Heard Bhavesh Kumar Sah, learned counsel for the
petitioner and learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Khajauli P.S. Case No. 235 of 2024 for the offence under sections 126(2), 115(5), 117(2), 109, 303(2), 329(4), 324(4), 3(5) of B.N.S., 2023 lodged on 14.10.2024 by the informant, Dilip Yadav.

3. As per the prosecution story, the informant alleged that the accused persons, armed variously, came to the shop, damaged the CCTV camera and assaulted his son. The allegation of assault is on Vikas Kumar, Ranjeet Kumar and omnibus allegation is against all the accused persons beside the allegation against this petitioner is that he grabbed his son. This



led to the FIR.

4. Learned counsel for the petitioner submits that only because of criminal antecedent he has been implicated, no specific role has been assigned to him, if granted bail, he shall be diligently appearing in trial and in no case shall be involved in any fresh case, failing which the immediate step shall be taken for cancellation of his bail bond, if relief is granted to him. Further, without accepting the allegation and/or the outcome of the present case, the petitioner intends to contribute Rs.10,000/- (Rupees Ten Thousand) to the injured, namely, Sunil Kumar.

5. Learned APP opposes the prayer submitting that he has criminal antecedent.

6. Taking into account the submissions of the parties as also the fact that the allegation of assault is against other persons, his name has come, shall face the trial, an undertaking has been given that he shall not indulge in any further crime, on that undertaking, this Court is inclined to extend him the privilege of anticipatory bail with conditions, subject to payment of Rs.10,000/- (Rupees Ten Thousand) towards the injured, namely, Sunil Kumar, by way of Demand Draft issued by the local State Bank of India through the Trial Court after checking its credentials.



7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of 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 conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any



criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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