

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29004 of 2025

Arising Out of PS. Case No.-43 Year-2021 Thana- RAGHUNATHPUR District- Siwan

1. Ravi Mahto @ Ravi Kumar S/o- Late Uma Mahto Village- Kausarh, P. S. - Raghunathpur, District-Siwan
2. Ramendra Mahto S/o- Sheoshankar Mahto Village- Kausarh, P. S. - Raghunathpur, District-Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Renuka Ratnakar (App 125)

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 28-07-2025 Heard Mr. Raghav Prasad, learned counsel for the petitioners and Mr. Renuka Ratnakar, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Raghunathpur P.S. Case No. 43 of 2021, F.I.R. dated 19.03.2021 for the offences punishable under Sections 341, 323, 324, 354, 504/34 of the Indian Penal Code.

3. According to prosecution case, Ramendra Mahto and six others assaulted the informant with a danda and talwar, but the doctor found only injuries from a hard, blunt object, contradicting the talwar attack claim.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and he has falsely been implicated in the present case. The present case is counter blast



of Raghunathpur P.S. Case 42 of 2021 filed by the mother of petitioner No.1 against the informant and her family members. Although, the petitioners are named in the F.I.R., but from a bare perusal of the F.I.R., it appears that the specific allegation of assault or overt act is attributed against petitioner No.2, namely, Ramendra Mahto that he assaulted the informant. Although, the informant has received the injury but the injury report of the informant suggests that the injury is simple in nature and there is no specific allegation of any assault or overt act attributed against petitioner No.1.

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

6. Considering the aforesaid facts and circumstances, there is case and counter case, the petitioners have clean antecedent and the injury inflicted upon the informant by the petitioners is simple in nature, let the petitioners, above named, in the event of their 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 A.C.J.M.-VIII, Siwan in connection with Raghunathpur P.S. Case No. 43 of 2021, 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper 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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