

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29954 of 2025

Arising Out of PS. Case No.-15 Year-2025 Thana- BATHNAHA District- Sitamarhi

1. Ramshresth Mahto S/o- Late Dewan Mahto Village- Lakshmipur Bathnaha Ps- Bathnaha Dist- Sitamarhi
2. Ramprit Mahto S/o- Late Dewan Mahto Village- Lakshmipur Bathnaha Ps- Bathnaha Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr .Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in connection with Bathnaha P.S. Case No. 15 of 2025, dated 11.01.2025, lodged under Sections 126(2), 127(2), 115(2), 118(1), 118(2), 109(1), 351(2), 351(3), 352, 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, FIR has been lodged against three named accused persons including the present petitioners. It has been alleged that all three accused persons have entered into the house of the informant and attacked on the informant by an iron rod, due to which, bleeding started.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that the allegation alleged in the FIR is absolutely false. He submits that both are residents of the same village and well known to each other and for a very petty issue relating to small piece of land, they started assaulting each other and injury has been caused from both the sides. Counsel submits that the injury has been discussed in the rejection order and it has been found that the injuries are simple in nature. Counsel further submits that petitioners are ready to fulfill all the conditions whatsoever shall be imposed upon them.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that the injuries have been caused from both sides and case and counter-case is also there.

6. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of their arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of learned Judicial Magistrate 1st Class, Sitamarhi, in connection with Bathnaha P.S. Case No. 15 of 2025, subject



to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

Sudhanshu/-

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