

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34748 of 2025

Arising Out of PS. Case No.-156 Year-2024 Thana- SUPPI District- Sitamarhi

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Dwivela Mahto @ Chhabila Mahto @ Dibela Mahto @ Davela Mahto @
Chhabilal Mahto S/O Nand Lal Mahto Resident of Akhta, P.S.- Suppi,
District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md Fazle Karim, Adv.

For the Opposite Party/s : Mr.Kalyan Shankar, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Suppi P.S. Case No. 156 of 2024 dated 10.09.2024 registered for the offences punishable u/ss 103(1) read with Section 3(5) of the B.N.S.

3. As per the prosecution case, the informant had some dispute with regard to a passage with the cousin brother Sunil Mahto and on 08.09.2024, the petitioner and the co-accused persons are alleged to have come to the door of the informant and started abusing and further the co-accused, Munna Mahto, Sangita Devi, Aakash Mahto, Chhabila Mahto (petitioner) and Manoj Mahto dragged his brother Sunil Mahto



and the co-accused, Munna Mahto and Manoj Mahto stabbed him and due to alarm, other persons came there and then they managed to escape. Thereafter, the injured was taken to the hospital for treatment where the doctor declared him to dead.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case due to village politics. There is no specific allegation against the petitioner rather the specific allegation of inflicting knife blow is against the co-accused, Munna Mahto and Manoj Mahto. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged offence. The co-accused person has already been granted regular bail by this court vide order dated 21.03.2025 passed in Cr. Misc. No. 13455 of 2025. The petitioner has no criminal antecedent in which he is on bail as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be



enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Sitamarhi in connection with Suppi P.S. Case No. 156 of 2024, subject to conditions as laid down under section 482(2) of the B.N.S.S. with further condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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