

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38753 of 2025**

Arising Out of PS. Case No.-194 Year-2024 Thana- BHELDI District- Saran

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1. Sunaina Devi W/o Chandrika Mahto
  2. Chandrika Mahto S/o Rajeshwar Mahto  
Both R/o Village/Mohalla- Bansdih, Adampur, P.S.- Bheldi, District- Saran  
at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Krishna Kumar Yadav, Advocate

For the Opposite Party/s : Mr.Anand Kishore Choudhary, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      15-07-2025                      Heard   Mr.Krishna Kumar Yadav, learned counsel  
for the petitioners and   Mr.Anand Kishore Choudhary, learned  
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Bheldi P.S.Case No.194 of 2024, FIR dated 04.06.2024 registered for the offences punishable under Sections 341,323,324,307,379,504,506 and 34 of the Indian Penal Code.

3. Allegation against the petitioners is that they alongwith other accused persons have assaulted the informant and his family members with iron rod and khanti by which they sustained multiple injuries on their persons.

4. Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have falsely been implicated in the present case. Although the petitioners are named in the FIR but from a bare perusal of the FIR it appears that the FIR is in two parts. In 1<sup>st</sup> part, there is general and omnibus allegation against all the accused persons including the petitioners and in 2<sup>nd</sup> part, specific allegation of assault is attributed against co-accused person, namely, Ratnesh Kumar and both the parties are agnates to each other and there is case and counter case.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, petitioners have clean antecedent, there is no specific allegation of any assault or overt-act attributed against the petitioners and there is case and counter case, 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 learned A.C.J.M.-XI, Chapra in connection with Bheldi P.S.Case No.194 of 2024, subject to the conditions as



laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482 (2) of BNSS, 2023 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 their absence on two consecutive dates without sufficient reason, their bail bonds 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 antecedents, 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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