

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34778 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- BIBHUTIPUR District- Samastipur

1. Ram Sagun Mahto S/o- Late Ram Kishun Mahto Resident Of Village- Birsahiya, Po- Singhiya Ghat, Ps- Bibhutipur, Dist- Samastipur
2. Manish Kumar S/o- Ram Sagun Mahto Resident Of Village- Birsahiya, Po- Singhiya Ghat, Ps- Bibhutipur, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S.K. Lal, Sr. Advocate Mr. Anu Priyadarshni, Adv.
For the Opposite Party/s	:	Mr. Shailendra Kumar, APP
For the informant	:	Mr. Rakesh Kumar, Adv. Mr. Rikesh Sinha, Adv.

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 17-11-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending their arrest in Bibhutipur P.S. Case No. 09 of 2025 registered under Sections 329(3), 329(4), 126(2), 115(2), 118(1), 74, 109, 351(2) of Bhartiya Nyaya Sanhita.

3. According to allegation, when the informant was taking bath in her courtyard, the petitioner No. 2 who is son of petitioner No. 1 entered into her courtyard and attempted to commit rape upon her. When the husband and the sister in law of the informant came to rescue her, the accused persons



assaulted them. The specific allegation against the petitioner No. 1 is to inflict assaults upon the husband of the informant whereas the petitioner No. 2 assaulted sister-in-law of the informant.

4. Learned Senior Counsel for the petitioners has submitted that as a matter of fact, there is some dispute between the parties regarding the construction of a wall and the members of the informant side badly assaulted the petitioner No. 1 and his family members for which, Bibhutipur P.S. Case No. 13 of 2025 was lodged for the same occurrence. The petitioner No. 1 has also suffered grievous injuries.

5. On the otherhand, learned counsel for the informant and learned APP opposed the prayer for anticipatory bail by submitting that the petitioner No. 1 inflicted deadly blow upon the husband of the informant who suffered grievous injuries.

6. It appears that the petitioner No. 1 has also suffered two grievous injuries which are attracted against the members of prosecution side.

7. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of four weeks, be released on anticipatory bail on furnishing bail bonds of



Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate/concerned court, Rosera, Samastipur in connection with Bibhutipur P.S. Case No. 09 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ 482(2) of BNSS, 2023.

(Nawneet Kumar Pandey, J)

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