

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43292 of 2025

Arising Out of PS. Case No.-297 Year-2024 Thana- MAJORGANJ District- Sitamarhi

1. Pappu Mahto @ Pappu Kumar Son of Anutha Mahto
 2. Anutha Mahto Son of Late Ram Briksh Mahto
 3. Raj Kumar Mahto Son of Anutha Mahto
 4. Mahanth Mahto @ Mahanth Mahto Son of Late Ram Briksh Mahto
 5. Harendra Mahto Son of Anutha Mahto
 6. Kaushali Devi @ Kaushlya Devi Wife of Raj Kumar Mahto
 7. Nagina Devi Wife of Anutha Mahto
- All Resident Of Village -Hirolawa, PS- Majorganj, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-07-2025 Heard Mr.Sanjay Kumar, learned counsel for the

petitioners and Mr.Syed Ehteshamuddin, learned Additional

Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Majorganj P.S.Case No.297 of 2024, FIR dated
12.09.2024 registered for the offences punishable under
Sections 126(2),329(4),115(2),117(2),109,351(2),3(5) of BNS
Act.

3. Allegation against the petitioners and other co-
accused persons is that they have assaulted to the informant and



her family members due to which four persons became injured in the said occurrence.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR. Due to some petty dispute, the present occurrence had taken place. From a bare perusal of the FIR it appears that the date of occurrence as alleged in the FIR is 08.09.2024 but the present FIR has been instituted on 12.09.2024 after delay of about four days without giving any explanation of delay. Although the petitioners are named in the FIR and there is allegation against the petitioners that they have assaulted to the informant and her family members. Although they have received the injury but the injury report of the injured persons suggests that the injury is simple in nature caused by hard and blunt substance.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners and submits that the petitioners, with common intention, have assaulted to the informant and her family members and apart from that, petitioner Nos.1,4 and 6 carry one



more case, petitioner Nos.2 and 3 carry three more cases and petitioner Nos. 5 and 7 carry two more cases other than the present one but fairly submits that the petitioners on on bail in all the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts and injury inflicted upon the injured persons 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 learned Additional Chief Judicial Magistrate-1st, Sitamarhi in connection with Majorganj P.S.Case No.297 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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