

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39584 of 2025

Arising Out of PS. Case No.-830 Year-2024 Thana- SONEPUR District- Saran

Gauri Mahto @ Gori Mahto, S/o Late Pukari Mahto, R/O Village- Shikarpur,
Khariadih, Ward No. 8, P.S.- Sonepur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dharendra Kumar Sinha, Adv. Ms. Soni Kumari, Adv. Mr. Rahul Rathour, Adv. Mr. Amrit Lal, Adv.
for the Informant	:	Mr. Bishwajeet Singh, Advocate Mr. Kundan Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 3 03-09-2025 1. Heard Mr. Dharendra Kumar Sinha counsel for the petitioner, Mr. Bishwajeet Singh, learned counsel for the informant and Mr. Umeshanand Pandit, learned APP for the State.
2. The petitioner apprehends his arrest in connection with Sonepur P.S. Case No. 830 of 2024 dated 07.10.2024 registered for the offence(s) punishable under Section(s) 103 and 3(5) of the B.N.S.
3. The main submissions advanced by petitioner's counsel are that the petitioner is an old and infirm person and the FIR itself shows that there was a quarrel between two groups and the deceased intervened to pacify the parties who



were quarreling at that time but during that course, the co-accused Vinay Mahto got angry at the deceased on account of his intervention and pushed him causing the deceased to fall on the PCC road and suffer a bleeding injury to his head and on the dead body of the deceased, only one head injury has been found as per postmortem report, which is specifically attributed to the accused Vinay Mahto. It is further submitted that the petitioner is the father of Vinay Mahto due to which he has been made accused and further the FIR was registered two days after the commission of the alleged occurrence and the petitioner has fair and clean antecedent. It is lastly submitted that the alleged offence of murder does not clearly get attracted to this matter as the death of the deceased was result of a sudden fight or quarrel.

4. On the other hand, learned APP appearing for the State has opposed the bail prayer of the petitioner and submits that against this petitioner there is serious allegation.

5. Considering the aforesaid submissions advanced by petitioner's counsel and mainly taking into account petitioner's old age, his fair and clean antecedent, coupled with the fact that the main allegation is against the son of this petitioner and the head injury which led to the death of the deceased is specifically attributed to the son of this petitioner,



this court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Sonapur P.S. Case No. 830 of 2024 on furnishing bail bond of Rs. 20,000/-(Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Shailendra Singh, J)

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