

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41096 of 2025

Arising Out of PS. Case No.-83 Year-2025 Thana- NATHNAGAR District- Bhagalpur

Mahavir Kumar @ Mahavir Kumar Mahto S/o Paltu Mahto R/o Village-
Dildarpur Bindtoli, P.S.- Nathnagar, Dist.- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. S.K. Pandey, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 14-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Nathnagar P.S. Case No. 83 of 2025 instituted for the offences
under Sections 191(2), 190, 126(2), 115(2), 109, 352, 351(2),
351(3) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that, on the alleged
date and time, co-accused Paltu Mahto started abusing and
assaulting the informant with *lathi-danda* during a *jagaran*
gathering. When the informant's nephew and father came to
rescue, the accused persons also assaulted them.



4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. The only specific allegation of assault is attributed to co-accused Paltu Mahto. Learned counsel further submitted that co-accused Jitendra Mahto @ Jitu has already been enlarged on bail by the learned court below itself. The injury sustained by the injured persons are simple in nature. It has been submitted on behalf of the petitioner that the petitioner is in custody since 21.03.2025 and has one criminal antecedent.

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

6. Considering the aforesaid facts and circumstances of the case, there being no specific allegation of assault against this petitioner as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nathnagar P.S.



Case No. 83 of 2025.

(Rudra Prakash Mishra, J)

Alok Verma/-

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