

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44698 of 2025

Arising Out of PS. Case No.-178 Year-2025 Thana- DIGHA District- Patna

1. Gaindo Mahto @ Genda Mahto, S/o Basudev Mahto Resident of vill.- Digha Ghat, Haripur Colony, Dhibra Par, P.S Digha , Digha , Patna, Bihar-800011.
2. Deepak Kumar S/o Genda Mahto @ Gaindo Mahto, Resident of vill.- Digha Ghat, Haripur Colony, Dhibra Par, P.S Digha , Digha Patna, Bihar-800011.
3. Anuj Kumar S/o Genda Mahto @ Gaindo Mahto, Resident of vill. Digha Ghat, Haripur Colony, Dhibra Par,P.S Digha , Digha Patna, Bihar-800011.
4. Shiv Kumar @ Shivnandan Kumar, S/o Genda Mahto @ Gaindo Mahto, Resident of vill.- Digha Ghat, Haripur Colony, Dhibra Par, P.S Digha , Digha Patna, Bihar-800011.
5. Mannu Kumar @ Abhimanyu Kumar, S/o Genda Mahto @ Gaindo Mahto, Resident of vill.- Digha Ghat, Haripur Colony, Dhibra Par, P.S Digha , Digha Patna, Bihar-800011.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhijeet Kunal, Adv.

For the Opposite Party/s : Mr. Umeshanand Pandit, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 12-11-2025 Heard learned Advocate appearing on behalf of the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Digha P.S. Case No. 178 of 2025, registered for the offences punishable under Sections 115(2), 126, 351(2), 352, 109, 74 and 3(5) of the Bharatiya Nyaya Sanhita.

3. On the fateful day, all the FIR named accused persons including the petitioner came to the house of his sister



and started abusing. When the informant protested, he was assaulted by the accused persons, including the petitioners, by means of bricks and bamboo stick, due to which he sustained serious injury. The accused persons also assaulted the father of the informant.

4. Learned Advocate appearing on behalf of the petitioners submitted that both the parties are neighbours and on account of a trifle, they entered into a scuffle, resulting into some unfortunate injuries. However, the injuries sustained to the informant and his father are found to be simple in nature. There is a counter version of the present case being Digha P.S. Case No. 177 of 2025. The petitioner are men to fair antecedent and they undertake before this Court that they will fully cooperate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State vehemently opposed the pre-arrest bail application and submitted that all the petitioners have actively participated in the crime and assaulted the informant and his father.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation besides the factum of case and counter case and the simple nature of injury as well as the fair antecedent, let the



petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount **each** to the satisfaction of the learned Additional Chief Judicial Magistrate, IX, Patna Sadar in connection with Digha P.S. Case No. 178 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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