

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44405 of 2025

Arising Out of PS. Case No.-667 Year-2024 Thana- BEGUSARAI TOWN District- Begusarai

1. Vikash Kumar @ Vikash Mahto S/O Late Rajkumar Mahto R/O Vill- ward no 38, Mahmadpur, VTC Mahammmadpur, P.O- Mirzapur Benduar, P.S- Cheria Bariarpur, Distt.- Begusarai.
2. Raja KUmar @ Rakesh Mahto S/O Late Rajkumar Mahto R/O Vill- ward no 38, Mahmadpur, VTC Mahammmadpur, P.O- Mirzapur Benduar, P.S- Cheria Bariarpur, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal, Advocate
For the Opposite Party/s : Mr.Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 15-10-2025 Heard S.K. Lal, learned counsel for the petitioners and the State.

2. The petitioners are apprehending arrest in connection with Begusarai Nagar P.S. Case No. 667 of 2024 instituted under Sections 191(2), 191(3), 190, 127(1), 115(2), 352, 351(2), 324(4), 315 and 109 of the Bhartiya Nayay Sanhita, 2023 and 27 of the Arms Act lodged on 18.12.2024 by the informant, Arvind Sah.

3. As per the prosecution story, the informant alleged that hearing the sound/noise, he went to the roof and found that the petitioners alongwith others were trying to break the roof of the informant. Upon protest, the allegation is that some of them



resorted to firing and they also damaged the shop by breaking the lock. The reason is that the petitioners' land near National Highways-31 and they want to grab it. This led to the FIR.

4. Learned counsel for the petitioners submit that no specific allegation is there, omnibus allegation is against them, due to enmity, they have been dragged.

5. Last submission is that irrespective of the outcome of the present case and/or accepting the allegation, the petitioners intend to contribute Rs.5000/- each (totalling Rs.10,000/-) through Demand Draft issued by the local branch of State Bank of India/any Nationalized Bank to be submitted before the concerned Court to be handed over to the informant after checking the credential.

6. Learned APP opposes the prayer stating that the petitioners have criminal antecedent.

7. Taking into account the submissions of the parties as also the allegation, the FIR is there, the petitioners have to face the trial, in that background, this Court is inclined to extend them the privilege of anticipatory bail subject to payment of Rs.5000/- each (totalling Rs.10,000/-) through Demand Draft issued by the local branch of State Bank of India/any Nationalized Bank to be submitted before the concerned Court



to be handed over to the informant after checking the credential.

8. Let the petitioners be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Begusarai Nagar P.S. Case No. 667 of 2024 to the satisfaction of learned Chief Judicial Magistrate, Begusarai subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their



attendance;

(v) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Ravi/-

U		T	
---	--	---	--

