

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48363 of 2025

Arising Out of PS. Case No.-78 Year-2025 Thana- HALSI District- Lakhisarai

1. Pravesh Kumar son of Sanjay Kumar Mahto @ Sanjay Kumar
2. Vibhas Kumar @ Vibhas Raj Son of Sanjay Kumar Mahto @ Sanjay Kumar
3. Sanjay Kumar Mahto @ Sanjay Kumar Son of Mishri Mahto
4. Premi Devi wife of Sanjay Kumar Mahto @ Sanjay Kumar
5. Mishri Mahto son of Late Prasadi Mahto
All R/o village- Rata, Ps- Halsi, Dist- Lakhisarari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Prasad, Advocate
For the Opposite Party/s : Ms.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-08-2025 Heard Mr.Umesh Prasad, learned counsel for the
petitioners and Ms.Asha Devi, learned Additional Public
Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Halsi P.S.Case No.78 of 2025, FIR dated 10.04.2025 registered for the offences punishable under Sections 126(2),115(2),109(1),303(2),352,351(2)/3(5) B.N.S.

3. Allegation against the petitioners is that they assaulted to the informant. Allegation against petitioner, namely, Sanjay Kumar is that he assaulted to the informant by means of kachia over her head and eyes. Further allegation is that



petiitoners also snatched jewellery from the informant.

4. Learned counsel for the petitioners submits that petitioner Nos. 1,2 and 4 have clean antecedent and petitioner Nos.3 and 5 carries one more case other than the present one and they are on bail in the said 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. Although the petitioners are named in the FIR and there is specific allegation against the petitioners that they have assaulted to the informant. Although the informant has received the injury but the injury report of the informant suggests that the injury is simple in nature caused by hard and blunt substance. In fact petitioner No.3 has filed a case bearing Halsi Case No. 65/2025 prior to lodging of the present FIR against the informant and her family members.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts, injury inflicted upon the injured person is simple in nature and there is case and counter case, 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 Judicial Magistrate-First Class, Lakhisarai in connection with Halsi P.S. Case No.78 of 2025, 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)

Nitesh/-

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

