

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49811 of 2025

Arising Out of PS. Case No.-641 Year-2020 Thana- CHANPATIA District- West Champaran

Mohan Mahto Son of Late Krishna Mahto Resident Of Village- Purbi
Kargahiya Ps- Bettiah District -West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 50038 of 2025

Arising Out of PS. Case No.-641 Year-2020 Thana- CHANPATIA District- West Champaran

Pramod Sah S/o Late Kashi Sah R/o Village- Purvi Kargahiya, Ward No. 9,
P.S.- Bettiah (M), District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 49811 of 2025)

For the Petitioner/s : Mr. Sagar Kumar

For the Opposite Party/s : Mr. Aditya Narayan Singh.1

(In CRIMINAL MISCELLANEOUS No. 50038 of 2025)

For the Petitioner/s : Mr. Siddharth Harsh

For the Opposite Party/s : Mr. Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

3 15-10-2025 Both Cr. Misc. applications have arisen out of the

same occurrence and as such they have been heard together and

are being disposed of by passing this common order.

2. Heard learned counsel for the petitioners and

learned APP for the State.

3. The petitioners have preferred this application for



grant of regular bail in connection with Chanpatia P.S. Case No. 641 of 2020 registered for the offences punishable under Sections 341, 323, 324, 307, 504, 506 and 34 of the Indian Penal Code.

4. As per the prosecution story, the informant has alleged that on dt. 05.12.2020 at about 21:30 hours, he was going to attend a Barat to village Lauhariya. As soon as he reached ahead of Lauhariya Chowk near a petrol pump then he saw that Barat was in the ready mode, so he parked his scorpio car there to see the Barat. Then accused persons named in FIR along with this petitioner Pramod Sah all resident of village Keshgahiya PS Muffasil came with four unknown persons there and started beating him with fist & hand and Mantu Sah assaulted him with the iron rod. At the same time his brother Sadhu Govind Chaudhary came to protect him. Mohan Mahto having sharp knife in his hand struck it in his stomach then Pintu Sah assaulted with a sharp knife on his back and Pramod Sah and Mannu Ram assaulted them with fist and hand. People who were standing beside there and persons belonging to Barati, when prohibited them to do so then accused person leaving them there ran away. He got the treatment of injured brother done in GMCH Bettiah and this statement was given in injured



condition from hospital by the informant.

5. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is further submitted that there is specific allegation in the F.I.R. that the petitioner Mohan Mahto stabbed in the abdomen of Govind Chaudhary and co-accused Pintu Sah stabbed in the back of the informant, but the injury report of both the injured suggests that they have sustained simple injury which creates serious doubt over the authentication of the prosecution case. Learned counsel further submits that from perusal of F.I.R., it appears that there was hot altercation took place between both the parties on account of collision of motorcycle with the informant's vehicle, and on the spur of moment, the occurrence appears to have taken place. It is also submitted that the F.I.R. has been registered after 12 days of the alleged occurrence and the reason for the same was not mentioned in the F.I.R. Moreover both the parties have compromised the matter and the compromise petitioner has been annexed as Annexure-3 of the petition. Both the petitioners are in custody since 06.05.2025

6. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioners.



7. Keeping in view the aforesaid facts and considering the period under custody, let the petitioners, above named, 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 learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Chanpatia P.S. Case No. 641 of 2020 subject to the following conditions :-

(i). Petitioners will remain physically present in trial on each and every date till the disposal of the case failing which, on two consecutive dates without reasonable cause, the bail bond of the petitioner may be cancelled by the Trial Court.

(ii). One of the bailor shall be his family member.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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