

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50719 of 2025

Arising Out of PS. Case No.-280 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. Nagendra Mahto S/o- Late Kishuni Mahto R/O- Pataura Lal Tola PS- Mufassil District- East Champaran
 2. Tej Bahadur Mahto @ Tej Mahto S/o- Late Kishuni Mahto R/O- Pataura Lal Tola PS- Mufassil District- East Champaran
 3. Rajan Mahto S/o- Nagendra Mahto R/O- Pataura Lal Tola PS- Mufassil District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishal Srivastava, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 22-12-2025 Heard Mr. Vishal Srivastava, learned counsel for the

petitioners and Mr. Jagdhar Prasad, learned Additional Public

Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Muffasil P.S. Case No. 280 of 2024, F.I.R.
dated 13.06.2024 for the offences punishable under Sections
147, 149, 341, 323, 324, 307, 354, 504, 379 of Indian Penal
Code.

3. According to prosecution case, the informant
alleged that the petitioners along with other co-accused persons



came to her house and assaulted her and when her family members came to rescue her, the accused persons assaulted her family members also. It is further alleged that the accused persons tried to outrage her modesty and also took away her gold mangalsutra.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. Due to some petty dispute the present occurrence has taken place. Although there is specific allegation against the petitioners in the FIR that petitioners have assaulted the informant and her family members and they received injury but the injury report of injured persons, namely, Tara Devi, Baliram Kumar, Heeralal Shah and Nitu Kumari suggest that injury inflicted upon them is simple in nature caused by hard and blunt substance.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners on the ground that

6. Considering the aforesaid facts and circumstances, petitioners have clean antecedent and injury inflicted upon the injured persons is simple in nature, let the petitioners, above named, in the event of 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 the learned C.J.M, East Champaran, Motihari in connection with Muffasil P.S. Case No. 280 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita 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 bond shall be cancelled by the Court below.

ii. If the petitioners tampers 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 antecedent, 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)

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