

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52467 of 2025

Arising Out of PS. Case No.-41 Year-2025 Thana- DHAKA District- East Champaran

1. Vijay Kumar S/O Mahendra Mahato R/O- village- purhani, P.S.-Dhaka, Dist.- East Champaran
2. Shambhu Mahato @ Kushwaha Shambhu Prasad @ Shambhu Prasad S/O Bachchu Mahato @ Late Bachchu Mahto R/O- village- purhani, P.S.-Dhaka, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Abhishek Kumar, Advocate
For the State	:	Mr. Syed Ehteshamuddin, A.P.P.
For the Informant	:	Mr. Madhurendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-11-2025 Heard learned counsel for the petitioners, learned counsel for the informant and learned A.P.P. for the State.

2. Petitioners seek regular bail in connection with Dhaka P. S. Case No. 41 of 2025 registered for the offences punishable under Sections 191(2), 190, 115(2), 117(2), 109, 303(2), 351(2), 352 of the Bharatiya Nyaya Sanhita and later on, Section 103(1) BNS was added.

3. As per F.I.R., all the accused persons including these petitioners assaulted informant and his sons by means of iron rod, as a result of which, one of the son of informant died in course of treatment.

4. Learned counsel for the petitioners submits that petitioners are not assailant of the deceased. Specific accusation of assault with iron rod on the head of deceased is against co-



accused Harendra Mahto. Petitioner no. 1 is alleged to have assaulted Bittu Kumar with iron rod, due to which he sustained injury on his eyebrow and below eye, whereas no specific overt act has been alleged against petitioner no. 2. Similarly situated co-accused have already been granted bail. Petitioner no. 1 is in custody since 20.05.2025 and petitioner no. 2 is in custody since 30.05.2025. Petitioners claim clean antecedent. Charge-sheet has already been submitted.

5. Learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the bail application.

6. Considering the nature of allegation, clean antecedent and period of custody, the bail application is allowed. Let the above named petitioners 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 Sub-Divisional Judicial Magistrate, Sikrahna at Dhaka, East Champaran in connection with Dhaka P. S. Case No. 41 of 2025.

(Prabhat Kumar Singh, J)

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