

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52746 of 2025

Arising Out of PS. Case No.-116 Year-2025 Thana- BAHERA District- Darbhanga

1. Yashodhar Mahto S/o Laxmi Mahto R/o vill - Majhwar, P.S.- Bahera, Distt.- Darbhanga
2. Ramakant Mahto S/o Laxmi Mahto R/o vill - Majhwar, P.S.- Bahera, Distt.- Darbhanga
3. Lalit Mahto S/o Laxmi Mahto R/o vill - Majhwar, P.S.- Bahera, Distt.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Shivalika Singh, Advocate
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 08-09-2025 Heard Ms. Shivalika Singh, learned counsel appearing
on behalf of the petitioners and the learned APP for the State.

2. Petitioners seek pre-arrest bail in connection with Bahera P.S. Case No. 116 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 351(2), 352, 109, 308(3) and 3(5) of BNS.

3. As per the allegation made in the FIR, the accused persons including the petitioners assaulted the informant and snatched Rs. 1,000/- and the AADHAR Card. They threatened that the same will be returned only after payment of Rs. 50,000/-.



4. So far as petitioner no.3, Lalit Mahto is concerned, learned counsel appearing on behalf of the petitioners submitted that the petitioner no.3 has falsely been implicated in the present case due to previous enmity. There is case and counter case between the parties.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Having considered the rival submissions made on behalf of the parties, as well as, considering the nature of allegation made against the petitioner no.3, he is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned district court within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Benipur/concerned court, in connection with Bahera P.S.Case No.116 of 2025, subject to conditions as laid down under Section 482(2) of BNSS of 2023

7. The learned district court is directed to verify the criminal antecedent of the petitioner no.3 and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically lose its force.



8. So far as petitioners no.1 (Yashodhar Mahto) and 2 (Ramakant Mahto) is concerned, considering the number criminal cases pending against them, I am not inclined to enlarge them on pre-arrest bail. However, if the petitioners no.1 and 2 surrender before the learned District Court and seek regular bail, the learned District Court may consider the bail application of the petitioners on the same day and pass necessary order in accordance with law.

9. Accordingly, the bail application stands disposed of.

(Purnendu Singh, J)

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