

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51635 of 2025

Arising Out of PS. Case No.-156 Year-2024 Thana- SAMASTIPUR District- Samastipur

1. Aditya Chauhan @ Aditya Prakash S/O Om Prakash Mahto R/O Mohalla- Magardahi Ghat, Ward no.24, P.S- Town, District- Samastipur
2. Om Prakash Mahto S/O Late Sukhdeo Mahto R/O Mohalla- Magardahi Ghat, Ward no.24, P.S- Town, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Samastipur (Town) P.S. Case No. 156 of 2024 registered for the offences under Sections 126(2), 115(2), 117(2), 109, 303(2), 118(1), 118(2) and 3(5) of the B.N.S.

3. As per the prosecution case, the informant has alleged that while he was at his shop when named accused persons including the petitioner with around 40-50 unknown persons attacked him. It is further alleged that the petitioners assaulted the informant with butt of pistol on his head causing injury and thereafter the other persons from the informant-side



were also assaulted. It is further alleged that one of the lady (accused) had assaulted the informant with iron rod.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have falsely been implicated in the instant case. Further submission is that the injury sustained by the informant are simple in nature. It is next submitted that there is case and counter case and the petitioner no. 2 has also sustained grievous injury. Petitioners have no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioners above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Samastipur (Town) P.S. Case No. 156 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of



B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioners shall be their close relative.

(ii) The petitioners shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of their bail bond.

(v) The learned 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.

7. Accordingly, the prayer for bail is allowed.

(Sourendra Pandey, J)

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