

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62475 of 2025

Arising Out of PS. Case No.-88 Year-2025 Thana- HUSSAINGANJ District- Siwan

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Bhaironath Mahto @ Bhairunath Mahto @ Bhairunath Son of Late
Ramashray Chauhan Resident Of Village- Singarpatti Mathiya, P.S.-
Hussainganj, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 10-11-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in connection with
Hussainganj P. S. Case No. 88 of 2025 in a case registered for
the offences punishable under Sections 126(2), 115(2), 118(1),
351(2), 3(5), 109(1), 103(1) of the Bharatiya Nyaya Sanhita.

3. It is alleged that all the F.I.R. named accused
persons forcibly entered the house of informant and brutally
assaulted informant and his family members by means of *lathi*,
danda, iron rod, spade, axe, handle of hand pump, *dab*, etc. as a
result of which they sustained injuries and one Gijra Devi died
during course of treatment.

4. Learned counsel for the petitioner submits that



allegation of assault against petitioner is general and omnibus and there is no specific accusation of overt act against him. Specific accusation of assaulting the deceased with *kudal* is against co-accused Motilal Chauhan. Petitioner claims clean antecedent and is in custody since 02.05.2025.

5. However, learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the nature of accusation, clean antecedent and period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Siwan in connection with Hussainganj P. S. Case No. 88 of 2025.

(Prabhat Kumar Singh, J)

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