

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54016 of 2025

Arising Out of PS. Case No.-104 Year-2025 Thana- KAMTAUL District- Darbhanga

Dhanraj Mahto S/o Ram Prakash Mahto, Resident of Village- Ratanpur, Ward No.7, P.S.- Kamtaul, Distt.- Darbhanga.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Saurav Anand, Advocate
For the Informant	:	Mr. Ram Nibash Prasad, Advocate
For the State	:	Mr. (Dr.) Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 12-11-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Kamtaul P.S. Case No. 104 of 2025 dated 13.05.2025, registered for the offences punishable under Sections 126(2), 115(2), 109, 303(2), 329(4) and 117(2) read with Section 3(5) of the BNS.

3. As per the prosecution case, in the backdrop of dispute over drainage of water, the petitioner and other co-accused persons assaulted the informant and his brother. The assailants entered into the house of the informant and took away a bag with ornaments and Rs. 15,000/- in cash.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely



been implicated in the present case. Though the occurrence is stated to have occurred on 28.04.2025, but the FIR has been lodged on 13.05.2025 and there is no satisfactory explanation for the same. The allegation against the petitioner is that he gave a khanti blow to the brother of the informant and the injury report of the brother of the informant shows “a sutured wound of approximately 3 cm over right parietal region of scalp.” There is no repetition of blow and it was not an attempt on life of any person. The allegation of taking away ornaments and cash is ornamental in nature. He further submits that the petitioner is cousin of the informant and there is land dispute between them. Learned counsel next submits that petitioner is having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 25.05.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner, his period of custody and submission of chargesheet in this case, the petitioner, above-named, is directed to be released on bail, on furnishing bail



bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga / concerned Court, in connection with **Kamtaul P.S. Case No. 104 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of non-appearance of the petitioner on single date or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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