

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56490 of 2025

Arising Out of PS. Case No.-710 Year-2023 Thana- SHAHPUR PATORI District- Samastipur

Ramesh Mahto S/o Jagdish Mahto R/o- Sarhad Madho, PS- Patori, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 09-09-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Shahpur Patori P.S. Case No. 710 of 2023 for the offence under sections 341, 447, 323, 354, 307, 506 and 34 of the Indian Penal Code lodged on 14.11.2023 by the informant, Ramchandra Mahto.

3. As per the prosecution story, the informant alleged that demanding money for the liquor which according to the petitioner was pending with the father of the informant, allegation is that this petitioner resorted to assault both to the informant as also his wife causing injuries. This led to the FIR.

4. Learned counsel for the petitioner submits that though allegation is there, paragraph-3 would show that he has no criminal antecedent. The injury has been found to be simple



in nature (paragraph-6) and further, the submission is that without accepting the allegation and/or the outcome of the present petition, in view of the fact that the informant's side has alleged injuries, the petitioner on its own would like to contribute Rs. 3,000/- to the lady and Rs. 2,000/- to the informant (totalling Rs. 5,000/-) towards the medical assistance through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned APP opposes the prayer submitting that allegation is that he sells liquor and demanding money, the assault took place.

6. Taking into account the submissions of the parties as also that the petitioner do not have criminal antecedent and the injuries have been found to be simple in nature, as informed by the learned counsel for the petitioner, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions subject to payment of Rs. 3,000/- to the lady and Rs. 2,000/- to the informant (totalling Rs. 5,000/-) as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of local State Bank of India to be submitted to



the Trial Court and to be handed over to the informant.

7. However, if it is found that contrary to the submission made, the injuries are grievous, the order shall become infructuous.

8. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in connection with Shahpur Patori P.S. Case No. 710 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;



(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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