

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55734 of 2025

Arising Out of PS. Case No.-336 Year-2025 Thana- SONEPUR District- Saran

1. Kaushal Kumar S/O Mithlesh Mahato @ Mithilesh Kumar R/O Sabalapur, Chai Tola, P.S.- Sonepur, Dist.- Saran
2. Mithlesh Mahato @ Mithilesh Kumar S/O Dwarika Mahato @ Dwarik Mahato R/O Sabalapur, Chai Tola, P.S.- Sonepur, Dist.- Saran
3. Anil Kumar @ Anil Mahato S/O Dwarika Mahato @ Dwarik Mahato R/O Sabalapur, Chai Tola, P.S.- Sonepur, Dist.- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Ziaul Quamar, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 09-09-2025 Heard Mr. Md Ziaul Quamar, learned counsel
appearing on behalf of the petitioners; Mr. Madan Kumar,
learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection
with Sonepur P.S. Case No. 336 of 2025 registered under
Sections 126(2), 115(2), 109, 118(2), 303(2), 352, 351(2),
351(3), 3(5) of the BNS.

3. As per the allegation made in the FIR, the
petitioners along with other accused persons, with an intention
to kill, assaulted the informant and his own family members and
at the same time outraged the modesty of the informant's sister.



4. Learned counsel appearing on behalf of the petitioners submitted that the petitioner no.1 is aged about 19 years, petitioner no.2 is aged about 60 years and petitioner no.3 is aged about 42 years and a general and omnibus allegation has been leveled against the petitioners. There is case and counter case between the parties. The wife of the petitioner no.2 namely Sarwati Devi filed an FIR being Sonapur P.S. Case No. 295 of 2025 against the informant and his family members. Though there are three criminal antecedents against the petitioners, all the cases have been lodged by the informant's side against the petitioners. On these grounds, the petitioners seek to be released on pre-arrest bail.

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

6. Having considered the rival submissions made on behalf of the parties, as well as, the fact that a general and omnibus allegation has been leveled against the petitioners and there is case and counter case lodged between the parties, I am of the opinion that the petitioners have made out a case to be released on anticipatory bail

7. The learned District Court is directed to release the petitioners on anticipatory bail, in the event of their 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) each with two sureties of the like amount each, to the satisfaction of learned Chief Judicial Magistrate, Saran, Chhapra in connection with Sonapur P.S. Case No. 336 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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