

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56934 of 2025

Arising Out of PS. Case No.-164 Year-2023 Thana- PIRI BAZAR District- Lakhisarai

Shambhu Mahto @ Shambhu Kumar Mehta S/o Dinesh Prasad Mehta R/o vill
- Shivrinar, P.S.- Piribazar, Distt- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Baitha, Advocate

For the State : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 27-08-2025

Heard the parties.

2. The petitioner is apprehending his arrest in connection with Piribazar P.S. Case No. 164 of 2023 registered for the offence under Sections 341, 323, 324, 307, 504, 354(B) and 34 of the Indian Penal Code, lodged on 21.11.2023 by the informant, Munni Devi.

3. As per the prosecution story, the allegation is that there was a dance program at the village school premises where the accused persons came in an intoxicated condition started abusing everyone, upon protest, allegation is that Sandeep Kumar gave iron rod blow to the informant as also the son-in-law Pramod Prasad Gupta who came to rescue. Pramod Prasad Gupta received injury on his head while allegation is that Mausam Kumar and this petitioner assaulted and her family member. This led to the F.I.R.



4. Learned counsel for the petitioner submits that main allegation is against the Sandeep Kumar, a vague allegation has been made against this petitioner of assaulting the informant, he has not assaulted Pramod Prasad Gupta, has no criminal antecedent. Last submission is that earlier final form was submitted against him but later cognizance has been taken on 17.10.2024 by the concerned court necessitating the anticipatory bail application.

5. Learned APP opposes the prayer for bail submitting that assault theory has also been assigned.

6. Considering the submissions of the parties as also the fact that the main role has been attributed to Sandeep Kumar, this petitioner has no criminal antecedent, earlier final form was submitted, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. 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 Judicial Magistrate, First Class, Lakhisarai, in connection with Piribazar P.S. Case No. 164 of 2023. subject to the conditions as laid down under Section



438(2) of the Cr.P.C., as also with the following conditions:-

(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/her 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 bail bonds.

(Rajiv Roy, J)

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