

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57888 of 2025

Arising Out of PS. Case No.-53 Year-2025 Thana- BIBHUTIPUR District- Samastipur

1. Amit Kumar Son of Shiyasharan Mahto @ Siya Sharan Mahto Resident of Village - Mohanpur, Police Station - Bibhutipur, District - Samastipur
2. Sumit Kumar Son of Shiyasharan Mahto @ Siya Sharan Mahto Resident of Village - Mohanpur, Police Station - Bibhutipur, District - Samastipur
3. Sanjeet Kumar Son of Bijli Mahto @ Bijal Mahto Resident of Village - Mohanpur, Police Station - Bibhutipur, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pratik, Adv.

For the Opposite Party/s : Mr. Murli Dhar, APP

For the Informant : Mr. Shashank Shekhar Kunwar, Adv.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-09-2025 Heard learned counsel for the petitioners, learned APP for the State and the learned counsel appearing on behalf of the informant.

2. The petitioners seeks bail in anticipation of their arrest in a case registered for the offences punishable under Sections 126(2), 127(2), 115(2), 118(1), 74, 109, 303(2), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that accused persons including the petitioners intercepted her, thereafter Sanjeet and Bijali abused saying that on her information regarding liquor Roshan was arrested,



further alleges that Amit assaulted her by an iron rod causing injury on head, thereafter Amarjit assaulted her son Avinash by an iron rod causing injury on head, it is next alleged that Sumit assaulted Ram Pukar a differently able person by rod causing injury on head, further all the accused assaulted Ram Pukar.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR it would manifest, that informant alleges that accused persons were harbouring grudge against her for the reason that Roshan was arrested in a liquor case based on her information. It is submitted that since Roshan belongs to the family of the petitioners as such they have been implicated. It is also submitted that even presuming what has been alleged is true without admitting, then, from perusal of the order impugned it would manifest that the injuries suffered by the injured are simple in nature which amply demonstrates that accused never had any intention of committing a serious occurrence, it is also submitted that from side of the petitioners Bibhutipur P.S. Case 52 of 2025 has been instituted and from the side of the petitioners also persons have suffered injury. It is next submitted that petitioners are not criminals.



5. Learned A.P.P. and the learned counsel appearing for the informant opposes the anticipatory bail application but are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that petitioners are persons with clean antecedent and the injuries suffered by the injured are simple in nature and petitioners are not criminals.

6. Considering the submissions and also taking into consideration the fact that petitioners are persons with clean antecedent the petitioners, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Rosera, Samastipur in connection with Bibhutipur P. S. Case No. 53 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

(Satyavrat Verma, J)

Siddharth Soni/-

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