

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58970 of 2025

Arising Out of PS. Case No.-16 Year-2022 Thana- BASANHI District- Saharsa

1. Biren Mehta, Son of Late Garbhu Mehta, R/o Village- Jamuniya Ward No.11, P.S.- Basnahi, District- Saharsa.
2. Sakal Deo Mahto @ Sakaldeo Mehta, Son of Late Garbhu Mehta, R/o Village- Jamuniya Ward No.11, P.S.- Basnahi, District- Saharsa.
3. Manju Devi, Wife of Biren Mehta, R/o Village- Jamuniya, Ward No.11, P.S.- Basnahi, District- Saharsa.
4. Anita Devi, Wife of Sakal Deo Mehta, R/o Village- Jamuniya, Ward No.11, P.S.- Basnahi, District- Saharsa.
5. Mukesh Singh, Son of Rajendra Singh, R/o Village- Dharkka Basa, P.S.- Beldaur, District- Khagaria.
6. Rupam Devi, Wife of Mukesh Singh @ Mukesh Kumar, R/o Village- Jamuniya Ward No.11, P.S.- Basnahi, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pranav Kumar Jha, Adv. Mr. Roshan Kumar Mishra, Adv. Mr. Chandra Nalen Jha, Adv.
For the Opposite Party/s	:	Ms. Renu Kumari, Adv.
For the Informant	:	Mr. Rishit Deo Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 12-11-2025 Heard learned Advocate appearing on behalf of the petitioners and the learned Additional Public Prosecutor for the State as well as the learned Advocate for the informant.

2. The petitioners apprehend their arrest in connection with Basnahi P.S. Case No. 16 of 2022, registered for the offences punishable under Sections 341, 323, 307, 379, 504, 506 and 34 of the Indian Penal Code.



3. Allegedly on the fateful day all the FIR named accused persons including the petitioners came at the house of the informant and started abusing and assaulting the informant. In order to rescue the informant when his son and wife came there, they were also assaulted by all of them, leading to serious injuries. There is further allegation of snatching of valuables.

4. Learned Advocate appearing on behalf of the petitioners submitted that the present case is nothing but a counterblast to Basnahi P.S. Case No. 15 of 2022 instituted by the petitioner no. 3 against the husband of the informant and others. In fact, the informant and his family members are aggressors, who entered into the house of the petitioners and brutally assaulted, due to which some of the family members have sustained serious injuries, however, the prosecution has failed to explain the injuries sustained to the petitioners and others. Besides the aforesaid fact, so far the injuries which are allegedly sustained to the wife and son of the informant, same are found to be simple in nature. The petitioners are persons of fair antecedent and they undertake that they will fully cooperate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State and the informant vehemently opposed the pre-arrest bail



application and submits that the petitioners have actively participated in the crime and there is corresponding injuries, which suggest that they were assaulted by the petitioners.

6. Regard being had to the submissions made on behalf of the parties and considering the factum of case and counter case coupled with the simple nature of injuries, besides the fair antecedent of the petitioners, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount **each** to the satisfaction of the learned Judicial Magistrate, 1st Class, Saharsa in connection with Basnahi P.S. Case No. 16 of 2022, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

supratim/-

U		T	
---	--	---	--

