

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61385 of 2025**

Arising Out of PS. Case No.-240 Year-2024 Thana- RAMPUR HARI District- Muzaffarpur

Bimlesh Mahato Son of Late Neti Mahato @ Niti Mahato Resident of village  
- Dhanuki (Narma Dhanushi), P.S.- Rampurhari, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Yugal Kishore

For the Opposite Party/s : Mr.Nagendra Prasad

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      10-09-2025                      Heard the parties.

2. The petitioner apprehends his arrest in connection with Rampurhari P.S. Case No. 240 of 2024, registered for the offences punishable under Sections 191(2), 191(3), 126(2), 118(1), 117(2), 109, 303(2), 74, 352, 351(2)(3) of the BNS and Prevention of Witch (Daain) Practices Act, 1999.

3. On the fateful day, while the wife of the informant was sitting at her door, in the meanwhile, all the 9 FIR accused persons, including the petitioner, variously armed with *lathi*, *danda*, iron rod, *farsa*, sword and pistol came there and surrounded his wife and co-accused Akhilesh Mahto addressed the wife of the informant as witch and thereafter all of them brutally assaulted her, in the meanwhile, when the informant came to rescue his wife, he was also assaulted by co-accused Akhilesh Mahto. There is allegation against the petitioner that



he assaulted one Nanki Mahto when he came to rescue of the informant by means of sword due to which he sustained head injury. There is allegation of snatching valuables and outraging the modesty of the family members of the informant against other accused persons.

4. Learned Advocate for the petitioner submitted that both the parties have been fighting with each other owing to land dispute; all the more BLD Case No. 25/2024-25 is running before the Deputy Collector, East, Muzaffarpur between the parties. There is pending title suit bearing No. 954/2024 instituted by the injured Nanki Mahto against the petitioner and others. In fact, on the fateful day, both the parties have entered into a free fight on account of certain quarrel resulting into unfortunate injuries; moreover the occurrence took place on 02.11.2024 and the *fardbeyan* of the informant was recorded on 04.11.2024, irrespective of the fact that he was said to be under treatment in SKMCH, Muzaffarpur. Taking this Court through the impugned order, learned Advocate for the petitioner further contended that the court knowingly did not discuss the nature of the injuries and, *prima facie*, it appears that the same are simple in nature.

5. On the other hand, learned Advocate for the State



vehemently opposed the bail application and submitted that in the said occurrence four of the persons, including the informant, have sustained injuries which clearly corroborates the allegation of assault caused by the petitioner and others, apart from the petitioner bears two criminal antecedent.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the genesis of the occurrence as also non disclosure of the nature of injuries and the pending civil litigation between the parties, let the petitioner abovenamed be released on bail, in the event of his 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 1<sup>st</sup> Class-5, East Muzaffarpur in connection with Rampurhari P.S. Case No. 240 of 2024, 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)**

Anjani/-  

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