

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60778 of 2025

Arising Out of PS. Case No.-95 Year-2025 Thana- HALSI District- Lakhisarai

1. Ramadhin Mahto, male, aged about- 55 years, S/o Late Pillo Mahto
2. Biru Kumar @ Shambhu Kumar, male, aged about- 32 years, S/o-
Ramadhin Mahto
Both are Resident of village- Koli, P.S- Halsi, District- Lakhisarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate
For the Opposite Party/s : Mrs. Nirmala Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-09-2025 Heard Mr. Amrendra Kumar, learned counsel

appearing on behalf of the petitioners and Mrs. Nirmala Kumari,

learned APP for the State.

2. The petitioners seek pre-arrest bail in connection
with Halsi P.S. Case No. 95 of 2025, registered for the offence
punishable under Sections 126(2), 115(2), 117(2), 110, 352,
351(2) and 3(5) of the B.N.S.

3. As per the allegation made in the FIR, petitioners
along with other accused persons, had assaulted the informant
and his family members causing injury.

4. Learned counsel appearing on behalf of the
petitioners submitted that petitioners are innocent and have
falsely been implicated in the present case. There is case and



counter case between the parties arising out of the same incidence. Due to land dispute, an altercation took place and both the sides entered into fierce fight and in the self-defence, petitioners may have caused some injury on the persons of the informant and his family members without intention. The injury, which has been referred in the FIR having been caused to the daughter-in-law of the informant is not specific that the petitioners had assaulted on the vital part of the body. In view of general and omnibus allegation, 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. Considering the rival submissions made on behalf of the parties, as well as, there is case and counter case between the parties arising out of the same incidence. Due to land dispute, an altercation took place and both the sides entered into fierce fight and in the self-defence, petitioners may have caused some injury on the persons of the informant and his family members without intention. I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be



released on pre-arrest 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class, Lakhisarai, in connection with Halsi P.S. Case No. 95 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS.

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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