

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63503 of 2025

Arising Out of PS. Case No.-557 Year-2024 Thana- MAJHAULIA District- West Champaran

1. Sipahi Kumar @ Sipahi Mahto S/O Jagu Mahto Resident Of Village- Karamwa Ward No. 6, P.s.- Manjhauliya, Dist.- West Champaran.
2. Ramesh Mahto S/O Late Devan Mahto Resident Of Village- Karamwa Ward No. 6, P.s.- Manjhauliya, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyam Sundar Kumar
For the Opposite Party/s : Mr. Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-09-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 126(2)/115(2)/117(2)/109/74/303(2)/352/3(5) of B.N.S.

3. As per F.I.R., upon instigation of co-accused Raju Mahto, petitioner No. 1 gave iron-rod blow on the head of the informant and when her son Arjun Kumar came to rescue, co-accused Ramesh Matho assaulted him with *lathi* causing grievous injury in right hand.

4. Learned counsel for the petitioners submits that the petitioners are quite innocent and have been falsely implicated in this case. He further submits that admittedly there is land



dispute between the parties. Petitioners claim clean antecedent.

5. Learned A.P.P. for the State has opposed the bail petition. He submits that the injury caused by the petitioner No. 1 is simple whereas the injury caused by the petitioner No. 2 is grievous in nature.

6. Considering the aforesaid facts & circumstances and the nature of injuries caused by petitioner No. 2, the prayer for grant of anticipatory bail of **petitioner No. 2 (Ramesh Mahto) is hereby rejected.**

7. Injury caused by petitioner No. 1 (Sipahi Kumar) is simple in nature, his prayer for anticipatory bail is allowed.

8. Accordingly, let the petitioner No. 1, in the event of arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate West Champaran, Bettiah, in connection with Majhauiliya P.S. Case No. 557/2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023.

(Prabhat Kumar Singh, J)

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