

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63113 of 2025

Arising Out of PS. Case No.-271 Year-2025 Thana- MAHARAJGANJ District- Siwan

1. Aarti Devi, W/o Sunil Kumar Mahto @ Sunil Kumar Chauhan, Resident of Village - Kapiya Nijamat, P.S. - Maharajganj, District – Siwan.
2. Chhathu Mahto, S/o late Jagdev Mahto, Resident of Village - Kapiya Nijamat, P.S. - Maharajganj, District – Siwan.
3. Sunil Kumar Chauhan @ Sunil Kumar Mahto, S/o late Jagdev Mahto, Resident of Village - Kapiya Nijamat, P.S. - Maharajganj, District – Siwan.
4. Kishore Mahto, S/o late Jagdev Mahto, Resident of Village - Kapiya Nijamat, P.S. - Maharajganj, District – Siwan.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Adarsh Ranjan, Advocate
For the State	:	Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 17-12-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Maharajganj PS. Case No.-271 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 118, 109, 74, 352, 351(2), 3(5) of the B.N.S., 2023.

3. As per allegation, altercation took place due to dispute among the children, wherein ten accused persons including the four Petitioners herein caused injury on the person



of the Informant and their family members.

4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that in the altercation that took place in regard to football, there was free fight between the Informant and the Petitioners side and even case was filed by the Petitioners' side bearing Maharajganj P.S. Case No. 265 of 2025 and the present case has been registered as a counterblast. He further submits that the injury caused to the Informant side is simple in nature and injury has also been caused on the Petitioners' side.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioners have no criminal antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the case and counter case and simple nature of injury on both sides, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below



within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Maharajganj PS. Case No.-271 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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