

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.66335 of 2025

Arising Out of PS. Case No.-62 Year-2025 Thana- BHAIROGANJ District- West Champaran

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1. Bhimbali Mahto @ Bhimbali Kushwaha S/o Raja Mahto
 2. Vasudev Kushwaha @ Baldev Mahto S/o Vrama Mahto
 3. Vikram Kumar @ Hiranman Mahto @ Hiranman Kumar S/o Vrama Kushwaha
 4. Rudal Ram S/o Shankar Ram
 5. Suresh Ram S/o Satan Ram

All are R/o Village - Shivarajpur, P.S - Bhairoganj, District - West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suresh Prasad Sharma, Advocate
For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP
for the informant : Mr. Vatsal Verma, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

3 15-11-2025 Heard Mr. Suresh Prasad Sharma, learned counsel

appearing on behalf of the petitioners; Mr. Mr.Md. Mushtaque

Alam, learned APP for the State and Mr. Vatsal Verma, learned

counsel for the informant.

2. The petitioners seek pre-arrest bail in connection
with Bhairoganj P.S. Case No. 62/2025 registered for the



offence punishable under Sections 115(2), 126(2), 324(4), 109, 303(2), 191 and 190 of BNS.

3. As per the allegation made in the FIR, the accused persons named therein including the petitioners assaulted the informant and her family members, as a result of which, they sustained injuries.

4. Case diary has come. Learned counsel appearing on behalf of the State informs that so far as petitioners no.1, 4 and 5 are concerned, there is direct allegation against them that they have assaulted the informant and her family members and injury sustained by the respective victims is grievous in nature.

5. On this, learned counsel appearing on behalf of the petitioners submitted that **he don't want to press the present bail application in respect of petitioners no.1, 4 and 5.** However, they will try to resolve the dispute amicably with the informant but at the same time, he submitted that so far as petitioners no.2 and 3 are concerned, there is no specific allegation against them. There is case and counter case between the parties arising out of same incidence. Petitioners no.2 and 3 have clean antecedents. On these grounds, petitioners no.2 and 3 deserve to be released on pre-arrest bail.

6. Mr. Vatsal Verma has tendered his appearance on



behalf of the informant and has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners no.2 and 3.

7. Learned APP for the State has also vehemently opposed the prayer for grant of pre-arrest bail to the petitioners no. 2 and 3.

8. Having considered the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR, I find that there is case and counter case between the parties and in absence of any specific allegation **against petitioners no.2 and 3, above named, who are having clean antecedents, 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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned District Additional Sessions Judge-III, Bagaha, West Champaran in connection with Bhairoganj P.S. Case No. 62/2025, subject to the condition as laid down under Section 438(2) Cr.P.C / 482(2) BNSS.

9. The District Court is directed to verify the criminal antecedent of the petitioners no.2 and 3 and if it is found that the petitioners are involved in some other cases as what has been



stated in Para-3 of the bail petition, this order will automatically
lose its force.

(Purnendu Singh, J)

Sanjay/-

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