

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65799 of 2025

Arising Out of PS. Case No.-52 Year-2024 Thana- ANDHRATHARHI District- Madhubani

1. Shashikala Devi, W/O Ramesh Kumar Mahto, R/O Village- Madhuban, P.S- Andhrathadhi, Distt.- Madhubani.
2. Ramesh Kumar Mahto @ Rohit Kumar Mahto S/O Jholi Prasad Mahto R/O Village- Madhuban, P.S- Andhrathadhi, Distt.- Madhubani.
3. Ganesh Kumar Mahto @ Ganesh Kumar Singh S/O Jholi Prasad Mahto R/O Village- Madhuban, P.S- Andhrathadhi, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Advocate
For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Andhrathadhi P.S. Case No. 52 of 2024 dated 26.03.2024 instituted for the offence punishable under Sections 341, 323, 324, 325, 379, 506/34, 354B of the Indian Penal Code in which cognizance has been taken under Sections 341, 323, 325, 354A, 308, 506/34 of the Indian Penal Code.

3. The prosecution case, in short, is that on the alleged date of occurrence, the informant was making house on his land. In the meantime, the petitioners along with other accused persons came and assaulted on the head of his father, son and nephew by



means of iron rod. It is alleged that the accused persons torn the blouse of his mother and outraged her modesty.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is submitted that the date of occurrence is 17.03.2024, but the present F.I.R. has been lodged on 26.03.2024 i.e. after 9 days of occurrence. It is submitted that the present F.I.R. is counter blast of Andharathadhi P.S. Case no. 49 of 2024, which has been lodged by petitioner no. 1 on 21.03.2024 for the same occurrence committed on 17.03.2024, in which Raj Kumar Singh and Balram Kumar have been granted anticipatory bail *vide* order dated 20.11.2024 passed by Bench of this Court in Criminal Miscellaneous No. 59913 of 2024. Learned counsel for the petitioners submits that there is no specific allegation against the petitioners rather the allegation against the petitioners are general and omnibus. Lastly, it has been submitted that petitioners have no criminal antecedents.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Andhrathadhi P.S. Case No.



52 of 2024, they will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Jhanjharpur subject to condition as laid down under Section 482(2) of the B.N.S.S.

(Khatim Reza, J)

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