

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68364 of 2025

Arising Out of PS. Case No.-147 Year-2025 Thana- KATEYA District- Gopalganj

1. Jitendra Chauhan Son of Budhai Mahato Resident of Village - Giridhar Poia, P.S. - Kateya, Dist. - Gopalganj.
2. Budhai Mahto Son of Pathal Mahato @ Patalu Mahato Resident of Village - Giridhar Poia, P.S. - Kateya, Dist. - Gopalganj.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Subhash Kumar, Advocate
For the State	:	Mr. Ram Bilash Roy Raman. APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 08-10-2025 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 Kateya P.S. Case No-147 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 109(1), 351(2), 352, 3(5) of the Bharatiya Nyay Sanhita, 2023.

3. As per allegation, altercation took place between the son of the Informant and the Petitioners herein in regard to watching mobile and in this altercation, allegedly the Petitioners have assaulted the informant and his son by fist and butt of the pistol.



4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this case. He further submits that even as per the allegation, no offence of attempt of murder is made out. It is case of simple hurt which is bailable in nature.

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 aforesaid facts and circumstances, **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 Kateya P.S. Case No-147 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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