

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68290 of 2025

Arising Out of PS. Case No.-84 Year-2022 Thana- RAMGARHWA District- East Champaran

HARENDRA MAHATO @ HARINDRA MAHTO, S/o- Asesar Mahto, R/o-
Piparpati, P.S.- Ramgarhwa, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Suraj Kumar Tiwari, Advocate
		Mr. Akshay Tripathi, Advocate
For the Opposite Party/s	:	Mrs. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 03-12-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Ramgarhwa P.S. Case No. 84 of 2022 registered for the offences punishable under Sections 341, 323, 307, 324, 325, 379, 504/34 of the Indian Penal Code.

2. The allegation against the petitioner is of causing assault by means of *Farsa* over the head of the informant's brother, due to which he sustained serious injuries, besides further allegation against other accused persons of causing assault and snatching valuables.

3. Learned Advocate for the petitioner submitted that there is an admitted long standing enmity between the parties, as is evident from the fact that earlier two cases have been instituted by the family members of the informant against the



petitioner and others. The alleged occurrence is said to have taken place in the morning of 18.03.2022, but surprisingly, the present F.I.R. came to be instituted on 21.03.2022 without there being any plausible explanation. So far the injury, which is said to have been sustained over the brother of the informant, though the same is found to be grievous in nature, but this fact cannot be ignored that there is no repeated blow. Moreover there is a counter version of the present case, inasmuch as a Complaint Case, bearing No. C-90 of 2022 instituted by the petitioner's side against the informant and others.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioners are facing two criminal cases over his head, besides the specific accusation of causing grievous injury to the brother of the informant.

6. Regard being had to the submissions advanced by the learned Advocate for the parties and considering the specific accusation of causing grievous injury, besides the two criminal antecedent, this Court is not acceded to the prayer of anticipatory bail to the petitioner. Accordingly, the prayer for grant of anticipatory bail is rejected.

7. However, in case, the petitioner surrenders before



the jurisdictional court preferably within a period of six weeks from today, the learned court below shall consider the prayer for regular bail of the petitioner without being prejudiced by the order of this Court and taking note of the submissions aforenoted, besides the other submissions, forthwith.

(Harish Kumar, J)

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