

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69887 of 2025

Arising Out of PS. Case No.-104 Year-2025 Thana- HARSIDHI District- East Champaran

Chanda Mahto @ Chandan Mahto, S/o- Late Ram Ayodhya Mahto, Resident of Village-Dhankharia Ranjeeta, Police Station-Harsidhi, District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 08-10-2025 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in connection with Harsidhi P.S. Case No. 104 of 2025 registered for the offence punishable under Sections 115(2), 117(2), 126, 109, 352, 351, 76 and 3(5) of B.N.S. and later on Section 103 of B.N.S. was added.

3. The case of the prosecution, in short, is that this petitioner has assaulted with *farsa* on the head of the informant due to which she received bleeding head injury.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this



case. It has further been submitted that only allegation against this petitioner is that he along with Subhash Mahto has assaulted with *farsa* on the head of the informant. It has also been submitted that from perusal of the F.I.R. itself it is clear that the occurrence is of 27.04.2024 whereas the F.I.R. was lodged on 21.02.2025 after more than 10 months. It has also been submitted that the delay in filing the F.I.R. is not explained by the prosecution. Moreover, it has been submitted that there is no repetition of the blow. The learned counsel for the petitioner has submitted that no injury was found. Petitioner is having no criminal antecedent and he is languishing in judicial custody since 09.05.2025.

5. Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the application for bail. From perusal of the order of the learned trial Court it transpires that learned trial Court has recorded that the injury report reveals several injuries have been found on the bodies of the injured including vital parts.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail



bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Motihari, East Champaran in connection with Harsidhi P.S. Case No. 104 of 2025.

(Ashok Kumar Pandey, J)

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