

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70316 of 2025

Arising Out of PS. Case No.-127 Year-2025 Thana- GOVINDGANJ District- East
Champaran

-
1. Surendra Mahato S/o Late Ramjit Mahato @ Ranjit Mahato R/o Village - Nawada, Ward No. 8, P.S - Govindpur, District - East Champaran, Motihari.
 2. Rabindra Mahato S/o Late Ramjit Mahato @ Ranjit Mahato R/o Village - Nawada, Ward No. 8, P.S - Govindpur, District - East Champaran, Motihari.
 3. Upendra Mahato S/o Late Ramjit Mahato @ Ranjit Mahato R/o Village - Nawada, Ward No. 8, P.S - Govindpur, District - East Champaran, Motihari.
 4. Mukesh Mahato S/o Upendra Mahato R/o Village - Nawada, Ward No. 8, P.S - Govindpur, District - East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sharda Nand Mishra, Advocate
		Mr. Sumit Kumar Gupta, Advocate
For the Opposite Party/s :		Mr. Kalyan Shankar, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-10-2025 Heard learned counsel for the petitioners and learned
A.P.P for the State.

2. The petitioners are apprehending arrest in connection with Govindganj P.S. Case No. 127 of 2025 lodged on 27.05.2025, for the offence punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 352, 351(2), 109 & 118(1) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against five named accused persons including the present petitioners. The specific allegation in the FIR is against petitioner no.1



namely, Surendra Mahato who has assaulted the informant by *tangi* due to which, injury has been caused. Another accused person namely, Lal Babu Mahato has also assaulted one Ramesh Mahato by *lathi* who came to rescue the informant.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that from the statement made in the FIR, it transpires that all allegations are false and fabricated. He submits that the informant and accused persons are resident of same village and they are well known to each other and by virtue of dirty village politics, petitioners' names have been inserted in this case. Counsel further submits that the petitioners have no criminal antecedent.

5. Learned APP for the State opposes the prayer for bail of the petitioners and submits that there is a specific allegation against petitioner no.1 that he has assaulted the informant by *tangi* on her head due to which injury has been caused. And against other petitioners, there is no specific allegation.

6. As such, in the present facts and circumstances of this case, let the petitioner no.2 namely, Rabindra Mahato, petitioner no.3 namely, Upendra Mahato and petitioner no.4



namely, Mukesh Mahato be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of A.C.J.M.-I, East Champaran, Motihari, in connection with Govindganj P.S. Case No. 127 of 2025, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

7. So far as bail application of petitioner no.1 namely, Surendra Mahato is concerned, this Court is not inclined to grant bail to him considering that there is a specific allegation against him in the FIR. Accordingly, the prayer for anticipatory bail of the petitioner no.1 is hereby rejected.

(Dr. Anshuman, J)

Divyansh/-

U		T	
---	--	---	--

