

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76831 of 2025

Arising Out of PS. Case No.-379 Year-2024 Thana- BIBHUTIPUR District- Samastipur

1. Bishnu Deo Mahto S/O Bisheshwar Mahto R/O Village- Khokhsaha, P.S- Bibhutipur, Distt.- Samastipur.
2. Shyam Kumar Kehsari S/O Chandra Bhushan Prasad Singh R/O Village- Khokhsaha, P.S- Bibhutipur, Distt.- Samastipur.
3. Ram Bilash Mahto S/O Late Laldhari Mahto R/O Village- Khokhsaha, P.S- Bibhutipur, Distt.- Samastipur.
4. Ram Kumar S/O Late Prabhu Mahto R/O Village- Khokhsaha, P.S- Bibhutipur, Distt.- Samastipur.
5. Janardan Prasad Azad S/O Late Ram Narayan Mahto R/O Village- Khokhsaha, P.S- Bibhutipur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Roy

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 27-11-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 105, 3(5) of the B.N.S.

3. Allegation in the first information report is that the death of a person was caused due to falling of an iron pipe while the Ravan Dahan program was being conducted by a Puja Samiti which was without any formal permission.

4. Learned counsel for the petitioners submits that the



petitioners are all the members of the Puja Samiti and from the perusal of the FIR itself, it would be clear that the death of the deceased has taken on account of falling of an iron pipe which was merely accidental and there was no intention behind the same. It is further submitted that an application has been filed by the father of the deceased before the learned court of SDJM stating therein that the iron pipe had fell down accidentally and nobody was responsible for the said occurrence. Further, the petitioners have no criminal antecedent.

5. Learned APP for the State has opposed the application for bail of the petitioner on the grounds mentioned in the first information report.

6. Taking into consideration the facts and circumstances and also considering the fact that no intention or motive is seen behind the said act and the causality has been caused as a result of an accidental fall of iron pipe and also considering the fact that the similarly situated co-accused has already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 19.11.2025 passed in Cr. Misc. No. 73696 of 2025, let the petitioners, who have no criminal antecedent, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bibhutipur P.S. Case No. 379 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

(Soni Shrivastava, J)

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