

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82346 of 2025

Arising Out of PS. Case No.-178 Year-2025 Thana- BIBHUTIPUR District- Samastipur

1. Shankar Mahto Son of Late Shree Mahto R/o - Belsandi Tara, Ward No.05, P.S - Bibhutipur, District -Samastipur, Bihar
2. Nagendra Kumar @ Bauaa Kumar Mahto Son of Shankar Mahto R/o - Belsandi Tara, Ward No.05, P.S - Bibhutipur, District -Samastipur, Bihar
3. Mithilesh Mahto @ Mithilesh Kumar Son of Meghu Mahto @ Maghu Mahto R/o - Belsandi Tara, Ward No.05, P.S - Bibhutipur, District -Samastipur, Bihar
4. Guddu Kumar Son of Manoj Rajak R/o - Belsandi Tara, Ward No.05, P.S - Bibhutipur, District -Samastipur, Bihar
5. Dilip Kumar son of Binod Mahto R/o - Belsandi Tara, Ward No.05, P.S - Bibhutipur, District -Samastipur, Bihar
6. Sonu Kumar son of Rajesh Mahto R/o - Belsandi Tara, Ward No.05, P.S - Bibhutipur, District -Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Adv.
For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 17-12-2025 Heard learned Advocate for the petitioners and

learned Advocate for the State.

2. The petitioners apprehend their arrest in connection with Bibhutipur P.S. Case No.178 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 303(2), 74, 76, 352, 351(2) of the BNS, 2023.

3. The allegation against the petitioners is of causing assault to the son of the informant by means of iron rod due to



which he sustained serious injury. When the informant came to the rescue of her son, she was also assaulted by the petitioners and others and they also snatched the valuables, besides there is allegation of threatening

4. Learned Advocate for the petitioners referring to the FIR has contended that omnibus allegation has been levelled against ten named accused persons, including the petitioners; however, it has not been disclosed that the injury has been attributed by whom. Moreover, the alleged occurrence took place in the evening of 06.05.2025, but the present FIR came to be instituted on 13.05.2025. The parties are co-villagers and the occurrence took place on account of a scuffle, resulting into some unfortunate injuries. The petitioners bear fair antecedent and they undertake that they will fully cooperate in the proceeding of the Court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the petitioners have actively participated in the crime and brutally assaulted the informant's son.

6. Having considered the submissions set forth by the learned Advocate for the respective parties and taking note of the omnibus nature of allegation and the delay in lodging of the



FIR, besides the fair antecedent of the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-divisional, Rosera, Samastipur in connection with Bibhutipur P.S. Case No.178 of 2025, subject to the condition as laid down under Section 482(2) of the BNSS, with further following conditions:-

(i) One of the bailors shall be the own/close family members of the petitioners.

(ii) If the petitioners are found involve in intimidating or threatening the witnesses or the informant or would indulge in such activities in future, the informant/State shall be at liberty to file appropriate application for cancellation of their bail bond(s).

(Harish Kumar, J)

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