

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81484 of 2025

Arising Out of PS. Case No.-399 Year-2025 Thana- CHAPRA TOWN District- Saran

Shambhu Mahto S/o Madan Mahto R/o Vill- Manua Ahirtoli, ward no. 34,
P.S- Chapra Town, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jeetendra Narayan
For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-12-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Chapra Town P.S. Case No. 399 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 352, 351(2), 3(5) of the BNS.

3. On the fateful day, while the informant was going to Taraiya, in the meanwhile, the accused persons variously armed with *dabia*, *khanti*, rod and country made pistol surrounded him and started abusing and assaulting. It is specifically alleged that on the exhortation made by co-accused Pujan Rai, co-accused Golu Kumar, Sajan Kumar and Sawan Kumar assaulted the informant. When the maternal uncle of the informant came to his rescue, he was also assaulted by the petitioner and others leading to serious injuries.



4. Learned Advocate for the petitioner referring to the FIR contended that though the occurrence took place on 06.07.2025 but the FIR came to be instituted on 07.07.2025. The injuries which are allegedly sustained to the maternal uncle of the informant is concerned, the same has been found to be simple in nature caused by hard blunt force. The informant has also sustained simple nature of injury, though there is no allegation against the petitioner that he assaulted the informant. To support the aforesaid contention, the injury reports have been placed on record as Annexure-2 series. The petitioner bears fair antecedent and he undertakes that he 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 petitioner has actively participated in the crime.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of accusation against the petitioner *qua* the injury sustained to the injured, besides the fair antecedent of the petitioner, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon



furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran at Chapra in connection with Chapra Town P.S. Case No. 399 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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