

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81465 of 2025**

Arising Out of PS. Case No.-342 Year-2025 Thana- PAROO District- Muzaffarpur

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Dilip Mahto @ Dilip Mahato S/o Nageswar Mahto @ Nageshvar Mahto R/o  
Village- Hariharpur Bhikhi, PS- Paroo @ Paru, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Yugal Kishore

For the Opposite Party/s : Mr.Bhanu Pratap Singh

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**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      10-12-2025                      Heard the parties.

2. The petitioner apprehends his arrest in connection with Paru (Paroo) P.S. Case No. 342 of 2025, registered for the offences punishable under Sections 126(2), 115(2), 109, 74, 352, 351(2), 351(3), 3(5) of the BNS.

3. The allegation against the petitioner and others is of causing *dabiya* blow over the head of the informant leading to serious injuries. While the daughter-in-law of the informant came to her rescue, she was also assaulted by all the accused persons.

4. Learned Advocate for the petitioner referring to the FIR contended that there is no specific allegation against the petitioner of causing *dabiya* blow, rather omnibus nature of allegation has been levelled against all the five named accused



persons. The occurrence alleged to have taken place within the precinct of the house but surprisingly later on during the course of investigation the witnesses have disclosed that it is the petitioner who had assaulted the informant over her head, which led to rejection of his prayer for anticipatory bail and, as such, the exaggeration and false implication of the petitioner cannot be ruled out. The petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the proceeding of the court. It is also the submission of the petitioner that the nature of injury has not been disclosed and, *prima facie*, it appears to be simple in nature.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the witnesses have categorically stated that it is the petitioner who had assaulted the informant which led to serious injury.

6. Regard being had to the submissions made on behalf of the parties and considering the nature of allegation, coupled with the fair antecedent as also the previous enmity between the parties, 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 Judicial Magistrate, 1<sup>st</sup> Class (West), Court No. 9, Muzaffarpur in connection with Paru (Paroo) P.S. Case No. 342 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)**

Anjani/-

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