

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1338 of 2025

Arising Out of PS. Case No.-81 Year-2024 Thana- Hattha District- Muzaffarpur

1. Sanjay Kumar Mahto @ Sanjay Kumar S/O Late Anand Kumar Mahto @ Late Anad Kumar Mahto R/O Vill.- Megh Ratwara, P.S.- Haththa, Dist.- Muzaffarpur.
2. Satya Narayan Mahto S/O Late Ram Sharan Mahto R/O Vill.- Megh Ratwara, P.S.- Haththa, Dist.- Muzaffarpur.
3. Sunil Kumar S/O Satya Narayan Mahto R/O Vill.- Megh Ratwara, P.S.- Haththa, Dist.- Muzaffarpur.
4. Suraj Kumar Mahto @ Suraj Kumar S/O Suresh Kumar Mahto R/O Vill.- Megh Ratwara, P.S.- Haththa, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh, Advocate
For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-02-2025 Heard learned counsel appearing on behalf of the

petitioners and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioners are named in F.I.R. and

apprehending their arrest in connection with Hattha P.S. Case

No. 81 of 2024, registered for the offences punishable under

Sections 191 (1) (2) (3), 126, 115(2), 109, 324 (2) of the

Bharatiya Nyaya Sanhita.

3. The allegation against above named petitioners is



to assault the informant and others alongwith named co-accused persons, caused bodily injuries, having intention to cause death, where occurrence alleged to be arising out of previous enmity, where both parties said to be in litigating terms.

4. Learned counsel appearing on behalf of the petitioners submitted that the allegation against petitioners are appearing very much general and omnibus in nature. Explaining injuries, it is pointed out that the informant Vivek Kumar had not received any external injury, whereas Deepak Kumar received injury on his head, which was incised and same was the exclusive reason for rejection of bail of this petitioner. It is submitted that the petitioners not alleged to be equipped with any sharp-edged weapon, which may cause incised wound. It is further submitted by learned counsel that petitioner's side also lodged a case against the informant and others which has been registered as Hattha P.S. Case No. 86 of 2024 dated 09.10.2024. While concluding the argument, it is also pointed out that the nature of injury said to be simple in nature and, moreover, petitioners are of clean antecedents.



5. Learned APP opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances and by taking note of nature of allegation, which is appearing very general and omnibus *qua* petitioners regarding alleged physical assault, accordingly, all above named petitioners, in the event of their arrest or surrender before the learned trial Court, within a period of four weeks of the order, are directed to be released on bail 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 Judicial Magistrate, First Class, Court No. 4, East Muzaffarpur/concerned Court, where the case is pending in connection with Hattha P.S. Case No. 81 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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