

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3709 of 2026

Arising Out of PS. Case No.-62 Year-2025 Thana- HARLAKHI District- Madhubani

1. Lal Babu Mahto @ Golu Mahto S/O Sanjay Mahto R/O Village- Basopatti, P.S- Harlakhi, Distt.- Madhubani.
2. Raju Kumar @ Raju Kumar Mahto S/O Mahendra Mahto R/O Village- Bundelkhand, Basopatti, P.S- Basopatti, Distt.- Madhubani.
3. Dharmendra Mahto S/O Sato Mahto @ Late Lakshman Mahto R/O Village- Bundelkhand Ward No. 11, P.S- Basopatti, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 30-01-2026 Heard Mr. Ratnakar Jha, learned counsel for the petitioners and Mrs. Renu Kumari, learned APP for the State.

2. The petitioners apprehend their arrest in connection with Harlakhi P.S. Case No. 62 of 2025 instituted for the offences under Sections 191(2), 190, 329(4), 126, 115(2), 324(1) of the Bharatiya Nyaya Sanhita, 2023 and Sections 25(1-b)a of the Arms Act.

3. The prosecution case, in short, is that the petitioners along with other co-accused persons abused informant's brother and disrobed his mother. It is further alleged that there is recovery of two motorcycles from which one country made



pistol and one knife have been recovered.

4. Learned counsel for the petitioners submitted that the petitioners have falsely been implicated in the present case. Learned counsel for the petitioners submitted that general and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. Learned counsel further submitted that petitioners have not got no concern with the seized motorcycles. It has been submitted on behalf of the petitioners that the petitioner no. 2 has no criminal antecedent whereas petitioner nos. 1 and 3 have one criminal antecedent each.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners. Learned APP further submitted that the co-accused person has been granted regular bail after framing of charge by this Court vide order dated 20.08.2025 passed in Cr. Misc. No. 38280 of 2024.

6. Considering the aforesaid facts and circumstances of the case, this is not a fit case for anticipatory bail, hence, I am not inclined to grant anticipatory bail to the petitioners.

7. Accordingly, the prayer for grant of anticipatory bail to the petitioners is, hereby, rejected.

8. However, if the petitioners surrender before the



learned court below within a period of six weeks from today and
prays for regular bail, the same shall be disposed of on its own
merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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