

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4578 of 2026

Arising Out of PS. Case No.-104 Year-2025 Thana- HARSIDHI District- East Champaran

Subhash Mahto, Son of Late Ram Ayodhya Mahto, Resident of Village -
Dhankhariya Ranjeeta, P.S.- Harsidhi, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 06-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Learned counsel for the petitioner has submitted that due to mistake, he could not add one of the criminal antecedents. He is directed to add the same during course of the day.

3. The petitioner has prayed for bail in connection with Harsidhi P.S. Case No. 104 of 2025 registered for the offence punishable under Sections 115(2), 117(2), 126, 109, 352, 351, 76 and 3(5) of B.N.S. and later on Section 103 of B.N.S. was added.

4. The case of the prosecution, in short, is that this petitioner along with Chanda Mahto has assaulted with *farsa* on the head of the informant due to which she received bleeding



head injury.

5. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. It has further been submitted that from perusal of the F.I.R. itself it is clear that the occurrence is of 27.04.2024 whereas the F.I.R. was lodged on 21.02.2025 after more than 10 months. It has also been submitted that the delay in filing the F.I.R. is not explained by the prosecution. It has further been submitted that from perusal of the injury report it transpires that the informant has not received any injury. It has also been submitted that similarly situated co-accused Chanda Mahto has been granted bail by this Court vide Cr. Misc. No. 69887 of 2025. The case of this petitioner stands on better footing. Moreover, he is languishing in judicial custody since 31.10.2025.

6. Learned APP appearing for the State has vehemently opposed the application for bail and has submitted that petitioner is having criminal antecedent of two cases.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named



petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Motihari, East Champaran in connection with Harsidhi P.S. Case No. 104 of 2025.

(Ashok Kumar Pandey, J)

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