

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13451 of 2026

Arising Out of PS. Case No.-237 Year-2024 Thana- BENIPATTI District- Madhubani

Rajesh Kumar Mahto S/o Devendra Mahto R/o Village- Teoth tol Khauna,
PS- Benipati, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RITESH KUMAR
ORAL ORDER

3 01-04-2026 Heard the learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Benipatti P.S. Case No. 237 of 2024, for allegedly having committed offence under Sections 126(2), 115(2), 117(2), 109, 329(4), 76, 303(2) , 352, 351(2), 351(3) and 3(5) of the BNS.

3. As per the prosecution case, it was alleged that on 15.10.2025 at about 08:00 A.M., all the accused persons including the petitioner dragged the informant and tried to outrage her modesty. The allegation against the petitioner is of assaulting the brother-in-law of the informant, namely, Ram Bharosh Mahto.

4. The learned counsel for the petitioner submits that there is case and counter case between the parties. One of



the co-accused, namely, Shiv Kumar @ Shiv Kumar Mahto also lodged Benipatti P.S. Case No. 241 of 2024 on the same date i.e. 15.10.2024 for the alleged offences under different sections of the B.N.S.. The learned counsel for the petitioner further submits that other co-accused persons have already been granted bail by the learned A.C.J.M. 1st, Madhubani and the injuries sustained by Ram Bharosh Mahto are simple in nature and are not on the vital part of the body. The petitioner has got no criminal antecedent.

5. The learned APP for the State vehemently opposes the prayer for bail of the petitioner.

6. It appears that vide order dated 26.02.2026, while calling for the case diary as well as the injury report, a Co-ordinate Bench of this Court had directed for not taking any coercive step against the petitioner.

7. Having heard the learned counsel for the parties and after going through the injury report, it appears that the injuries sustained by Ram Bharosh Mahto are simple in nature and are not on the vital part of the body. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of arrest or surrender within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten



Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Benipatti, Madhubani in connection with Benipatti P.S. Case No. 237 of 2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., with further condition:

(1) The learned Court concerned shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court concerned shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Ritesh Kumar, J)

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