

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14478 of 2026

Arising Out of PS. Case No.-178 Year-2025 Thana- MADHEPUR District- Madhubani

1. Shyam Sundar Mahto Son of Late Gangai Mahto Resident of Village- Bhith Bhagwanpur, Nowtoliya, Ward no. 03, Ps- Madhepur, Dist- Madhubani
2. Pradeep Kumar Mahto son of Shyam sundar Mahto Resident of Village- Bhith Bhagwanpur, Nowtoliya, Ward no. 03, Ps- Madhepur, Dist- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. North Bihar Power Distribution Company, Madhubani bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mani Shankar Kumar, Advocate
For the Opposite Party/s	:	Mr. Mohammad Sufyan, APP
For the Informant	:	Mr. Ramchandra Jha Raman, Advocate
For the O.P. No. 2	:	Mr. Shrekant Sharan Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 24-06-2026 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Madhepur P.S. Case No. 178 of 2025 for the offence under sections 103(1) and 61(2) of the BNS lodged on 28.09.2025 by the informant, Chandrakant Mahto.

3. As per the prosecution story, the informant alleged that his minor son went to attend the nature's call but failed to return, and later, it was found that he is lying near the field of the petitioners where the live wire was installed which led to his death. This led to the FIR.



4. Learned counsel for the petitioners submit that in a political conspiracy, they have been implicated, no such live wire was there and the petitioners do not have any criminal antecedent. Further, they are farmers, locals and are themselves in grief due to loss of the minor son of a villager and as a token of respect, would like to contribute Rs. 25,000/- each (totalling Rs. 50,000/-) through Demand Draft issued by the local State Bank of India/any Nationalized Bank branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned counsel for the informant and learned counsel representing the North Bihar Power Distribution Company, Madhubani (Bihar) opposes the prayer submitting that the case has been found to be true.

6. Taking into account the submissions of the parties, though it is unfortunate that in a zeal to protect the agricultural land from the animals, the farmers use live wire without realizing that it may affect the human being also, as allegedly happen in this case. However, in view of the fact that both the petitioners do not have criminal antecedent, FIR is there and they shall be facing the music, in that background, this Court is inclined to extend them the privilege of anticipatory bail subject



to the payment of Rs. 25,000/- each (totalling Rs. 50,000/-) through Demand Draft issued by the local State Bank of India/any Nationalized Bank branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

7. Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned JMFC-cum-CJJD, Jhanjarpur, Madhubani/concerned Court in connection with Madhepur P.S. Case No. 178 of 2025 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document (Aadhaar Card/Voter ID Card/Pan Card/Driving License) to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioner shall be appearing before the Police Station as and when required for cooperating in the



investigation;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Adnan/-

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