

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15915 of 2026

Arising Out of PS. Case No.-428 Year-2025 Thana- DARAUNDA District- Siwan

1. Hari Kishun Mahto @ Hare Krishna Mahto Son of Late Jag Lal mahto Resident of village- Gurgujwa, Jalalpur, P.S.- M.H. Nagar, District- Siwan
2. Kiran Devi wife of Pappu Mahto Resident of village- Gurgujwa, Jalalpur, P.S.- M.H. Nagar, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Raghav Prasad, Advocate
For the Opposite Party/s :	Mr. Tarkeshwar Nath Thakur, A.P.P

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-03-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Daraunda P.S. Case No. 428 of 2025 lodged on 27.08.2025, for the offence punishable under Sections 126(2), 115(2), 118(1), 109(1), 303(2), 352, 351(2) & 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against 10 named accused persons including the present petitioners with allegation that all the accused persons entered in the house of the informant and tried to outrage the modesty of the informant's daughter. The accused persons also assaulted the



informant.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have committed no offence. Counsel submits that the petitioners have clean antecedent and both parties are resident of the same village. He further submits that out of 10 accused persons, 8 accused persons have been granted anticipatory bail by the Co-ordinate Bench of this Court *vide* order dated 08.01.2026 passed in Cr. Misc. No. 86635 of 2025 (Annexure-P/3). Counsel submits that all the allegations are general and omnibus in nature and for the same date and place of occurrence, there are case and counter case from both the sides, due to which scuffling took place.

5. Learned APP for the State opposes the prayer for bail of the petitioners but submits that from the record, it transpires that *vide* Annexure-P/3, it is clear that eight accused persons have been granted anticipatory bail by the Co-ordinate Bench of this Court.

6. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as



mentioned in Section 2(1)(d) of the B.N.S.S., 2023 to the satisfaction of A.C.J.M.-VI, Siwan, in connection with Daraunda P.S. Case No. 428 of 2025, subject to the conditions as laid down U/s 482(2) of the B.N.S.S., 2023.

7. The Trial Court is directed to verify the criminal antecedent(s) of the petitioners, and in case, it is found at any stage that the petitioners have concealed the fact about their criminal antecedent(s), the Trial Court shall take steps for cancellation of bail bond of the petitioners. However, the acceptance of the bail bonds in terms of the above-mentioned order shall not be delayed for the purpose of or in the name of verification.

(Dr. Anshuman, J)

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