

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31398 of 2026

Arising Out of PS. Case No.-245 Year-2025 Thana- LAHERIYASARAI District- Darbhanga

Dipak Kumar @ Dipak Mahto @ Dipak Kumar Mahto S/O Raje Lal Mahto
R/O Village- Bhatabari, P.s- Phulparas, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandan Jha, Advocate

For the Opposite Party/s : Ms.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2026 Heard Mr.Chandan Jha, learned counsel for the
petitioner and Ms.Asha Devi, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 20.06.2025 in connection with Laheriasarai P.S. Case No. 245 of 2025, G.r.No.1419/2025, (S.T.No.547/2025), F.I.R. dated 12.04.2025 registered for the offence punishable under Sections 103(1) and 3(5) of BNS Act, 2023.

3. Allegation against the petitioner is that he alongwith seven other accused persons had allegedly assaulted the deceased, as a result of which he became unconscious and later on died.

4. Learned counsel appearing for the petitioner submits that it appears from the FIR that there is no specific allegation of any assault or overt-act attributed against the



petitioner rather there is suspicion raised by the informant against the petitioner and other similarly situated co-accused persons and for the same set of allegation, co-accused persons, namely, Nitish Kumar @ Nitish Kumar Yadav, Deepak Yadav, Samresh Kumar and Pankaj Kumar have been granted bail by different Coordinate Benches of this Hon'ble Court vide orders dated 23.02.2026, 25.03.2026 and 22.04.2026 passed in Cr. Misc. Nos. 83714/2025, 3312/2026, 83640/2025 and 26186/2026 respectively and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 20.06.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner has participated in the present crime in question, apart from that, the petitioner carries one more case other than the present one but fairly submits that the petitioner has been granted bail by the learned Juvenile Justice Board, Madhubani on 06.08.2025, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, let the petitioner, above named, 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 learned ADJ-VII, Darbhanga or the



competent court of law in connection with Laheriasarai P.S.
Case No. 245 of 2025, G.r.No.1419/2025 (S.T.No.547/2025),
with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step 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.

(Rajesh Kumar Verma, J)

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