

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28906 of 2026

Arising Out of PS. Case No.-269 Year-2025 Thana- RAGHOPUR District- Vaishali

1. Bedami Devi W/o Ishlok Mahto @ Ram Ishlok Mahto @ Ilok Mahto
Resident of Village - Nayaka Pari, P.S- Raghapur, District -Vaishali
2. Ishlok Mahto @ Ram Ishlok Mahto @ Ilok Mahto S/o Vishuni Mahto
Resident of Village - Nayaka Pari, P.S- Raghapur, District -Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 05-05-2026 Heard learned counsel for the petitioners and learned
APP for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Raghapur P.S. Case No. 269 of 2025 registered for the alleged offence under Sections 191(2), 191(3), 115(2), 109, 76, 303(2) r/w 3(5) of Bharatiya Nyaya Sanhita, 2023.

03. As per prosecution case, the petitioner no. 1 assaulted the five year old son of the complainant/informant and the petitioner no. 2 damaged his left eye by pricking it with a needle.

04. Learned counsel for the petitioners submits that



petitioners are innocent and have been falsely implicated in this case. The informant and the petitioners are agnates. As per complaint, the occurrence took place on 31.07.2025 but the complaint was filed only on 10.09.2025 whereas the FIR has been registered on 02.10.2025 but there is no explanation for the delay in lodging the complaint petition. Further, the son of the informant was treated at IGIMS, Patna wherein the complaint/informant himself stated that the injury in the left eye of his son was caused by needle stick on 29.07.2025 at 06:00 pm. This falsifies the allegation that on 31.07.2025, petitioner no. 2 put a needle in the left eye of son of the informant. Learned counsel further submits that no occurrence as alleged in the manner took place and it appears while playing, the son of the informant stuck a needle in his left eye and taking advantage of this fact, the informant has falsely implicated the petitioners who are having clean antecedent.

05. Learned APP for the State opposes the submission made on behalf of the petitioners.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the doubtful nature of allegation and further considering the possibility of false accusation, let the petitioners above named,



in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur/court concerned in connection with Raghapur P.S. Case No. 269 of 2025, subject to the condition laid down under Section 482(2) of BNSS and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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