

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34611 of 2026

Arising Out of PS. Case No.-279 Year-2025 Thana- ROSERA District- Samastipur

Bhajju Mochi @ Bhajjo Ram son of Arhul Mochi Resident of Village
-Pachgama PS -Rosera Distt -Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Choudhary, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 19-05-2026

Heard the parties.

2. The petitioner is apprehending his arrest in connection with Rosera P.S. Case No. 279 of 2025 for the offence under sections 191(2), 126(2), 115(2), 303(2), 352, 118(1), 117(2), 109 and 110 of the BNS lodged on 20.08.2025 by the informant, Jagdev Mahto.

3. As per the prosecution story, the informant alleged that his wife had gone to her parent's home, and when he wanted her back, the brother-in-law asked him to come with respectable members of the society. However, as he reached the place, allegation is that they attacked. While Mithilesh Kumar Mahto attacked the informant with a sword, allegation is that this petitioner gave a rod blow on the shoulder and Harivansh Jha took out money. They were shifted to hospital and this led to the FIR.

4. Learned counsel for the petitioner submits that the assault made by Mithilesh Kumar Mahto has been found to be



grievous in nature, but so far as the assault by this petitioner is concerned, there is no injury report and he has no criminal antecedents.

5. Learned APP opposes the prayer submitting that so far as the injury sustained by Jagdev Mahto (informant) by Mithilesh Kumar Mahto is concerned, it has been found to be grievous in nature.

6. Taking into account the submissions of the parties as also that the injury inflicted by this petitioner, there is no injury report and he do not have any criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner 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) with two sureties of like amount each to the satisfaction of learned ACJM-I, Rosera, Samastipur in connection with Rosera P.S. Case No. 279 of 2025 subject to the following conditions:

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

(ii) the petitioner 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 his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for six months to mark his attendance and after the end of the period, the certificate shall be submitted before the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;

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

(Rajiv Roy, J)

Adnan/-

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