

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37656 of 2026

Arising Out of PS. Case No.-7 Year-2026 Thana- Chhaudahi District- Begusarai

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Amit Kumar @ Amit Kumar Mahto, Son of Ram Sagar Mahto, Resident of Village - Tara Bariyarpur, Ward No. 09, P.S.- Khodawandpur, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Khushbu Devi @ Khusbu Devi Wife of Amit Kumar @ Amit Kumar Resident of Village - Tara Bariyarpur, Ward No. 09, P.S.- Khodawandpur, Dist.- Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Bijay Bhushan Prasad, Advocate
		Mr. Rani Shashi Bharti, Advocate
For the Opposite Party/s	:	Mrs. Pushpa Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 01-07-2026 Heard Mr. Bijay Bhushan Prasad, learned counsel appearing on behalf of the petitioner and Mrs. Pushpa Sinha, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Chhaurahi P.S. Case No. 07 of 2026, registered for the offence punishable under Sections 109(1) and 3(5) of the BNS.

3. As per the allegation made in the FIR, the petitioner along with co-accused, had allegedly tried to kill the informant, who is the wife of the petitioner, by pressing her neck.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and he has falsely



been implicated in the present case. He further submitted that petitioner, who is the husband of the informant, is being harrassed by his wife, with whom, he is in matrimonial relationship for nearly 15 years. Petitioner has two minor children and he has clean antecedent. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the FIR, I find that the informant, instead of availing remedy in accordance with law, has lodged the present FIR against the petitioner, who is her husband. I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending, in connection with Chhaurahi P.S. Case No. 07



of 2026, subject to the condition as laid down under Section 482(2) of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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