

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44731 of 2026

Arising Out of PS. Case No.-423 Year-2022 Thana- GOVINDGANJ District- East
Champaran

1. Vikash Mahto S/o Lalan Mahto @ lalan Mahato R/o Village - Rampurwa, P.S. - Gobinganj, Dist. - East Champaran.
2. Bharosa Mahato @ Bharosi Mahato @ Bharosa Prasad Prasad @ Bharoshi Mahato S/o Sarjug Mahato R/o Village - Rampurwa, P.S. - Gobinganj, Dist. - East Champaran.
3. Akhilesh Mahato @ Akhilesh Kumar S/o Bharoshi Mahato @ Bharosa Mahato @ Bharosi Mahato @ Bharosa Prasad Prasad R/o Village - Rampurwa, P.S. - Gobinganj, Dist. - East Champaran.
4. Ajay Mahato S/o Yogi Mahato All are resident of Village- Rampurwa, P.S.- Gobindganj, District- East Champaran.
5. Manoj Mahato S/o Lalan Mahato @ Lalan Mahto All are resident of Village- Rampurwa, P.S.- Gobindganj, District- East Champaran.
6. Hira Mahato @ Hiralal Mahato Son of Lalan Mahato @ Lalan Mahto. All are resident of Village- Rampurwa, P.S.- Gobindganj, District- East Champaran.
7. Abhishek Kumar @ Abhishek Mahato son of Bidyanand Mahato. Resident of Village- Rampurwa, P.S.- Gobindganj, District- East Champaran.
8. Anuresh Kumar @ Animesh Mahato son of Bharosi Mahato @ Bharosa Mahato @ Bharoshi Mahato @ Bharosa Prasad Prasad. resident of Village- Rampurwa, P.S.- Gobindganj, District- East Champaran.
9. Krishna Mahato @ Krishna Kumar son of Late Bidyanand Mahato Resident of Village- Rampurwa, P.S.- Gobindganj, District- East Champaran.
10. Shanichari Devi Wife of Lalan Mahato @ Lalan Mahto Resident of Village- Rampurwa, P.S.- Gobindganj, District- East Champaran.
11. Pramila Devi Wife of Manoj Mahato Resident of Village- Rampurwa, P.S.- Gobindganj, District- East Champaran.
12. Asha Devi Wife of Vikash Mahato Resident of Village- Rampurwa, P.S.- Gobindganj, District- East Champaran.
13. Bebi Devi Wife of Hiralal Mahato @ Hira Mahato Resident of Village- Rampurwa, P.S.- Gobindganj, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Advocate
For the Opposite Party/s : Mr. Murli Dhar, APP



CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 08-07-2026 Heard the learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Govindganj P.S. Case No. 423 of 2022, F.I.R dated 16.08.2022 registered for the offences punishable under Sections 147, 148, 149, 447, 323, 327, 324, 307, 448, 354, and 379 of the Indian Penal Code.

3. According to prosecution case, the accused persons, along with 10–15 unknown persons, allegedly attempted to construct a house on the informant's land. On protest, they allegedly assaulted the informant and his family members with iron rods, a knife, and other weapons, causing multiple injuries, including fractures. The accused are further alleged to have outraged the modesty of a female family member, snatched gold ornaments, looted household articles worth about ₹2,50,000, and attempted to strangle Rajkumar Mahato before local people intervened and rescued him.

4. Learned counsel for the petitioners submits that the incident which is said to have taken place on 15.08.2022, there is a case and a counter-case have been instituted, in the said incident persons from both sides sustained injuries, while the



injuries sustained by the informant and his family member, is found to be simple in nature though caused by hard and blunt substances. It is the case of the petitioners that two members of the family of petitioner No. 1 also sustained injuries in the alleged occurrence. It is further submitted that the petitioners have no criminal antecedents.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid facts and circumstances and taking into account that the nature of the injuries sustained is simple in nature, the petitioners have no criminal antecedent and altogether thirty-one persons have been made with accused with no specific allegation. Accordingly, this Court is inclined to grant the privilege of anticipatory bail to the petitioners.

7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, 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 the learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Govindganj P.S. Case No. 423 of 2022, subject to the conditions as laid down under Section 438(2) of



the Code of Criminal Procedure / Section 482(2) of the Bhartiya
Nagarik Suraksha Sanhita and with other following conditions:-

(i) one of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document/personal affidavit to show his/her bona fide;

(ii) the petitioner(s) 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/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) 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;

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

(Ajit Kumar, J)

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