IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71194 of 2026

CNR No. BRHC010990162026

Arising Out of PS. Case No.-363 Year-2026 Thana- NAUTAN District- West Champaran

==========

1. Tarkeshwar Mahto S/O Late Jigovind Mahto @ Jaigovind Mahto R/O Village- Dabariya Ward No. 08, P.S.- Nautan, Distt.- West Champaran.
2. Kedar Mahto @ Kedar Pd. S/O Late Jigovind Mahto @ Jaigovind Mahto R/O Village- Dabariya Ward No. 08, P.S.- Nautan, Distt.- West Champaran.
3. Sujeet Kumar @ Sujeet Mahto @ Aman Kumar S/O Rampravesh Mahto R/O Village- Dabariya Ward No. 08, P.S.- Nautan, Distt.- West Champaran.
4. Subhash Kumar @ Subhash Mahto S/O Rampravesh Mahto R/O Village- Dabariya Ward No. 08, P.S.- Nautan, Distt.- West Champaran.
5. Srikant Mahto S/O Late Devnarayan Mahto R/O Village- Dabariya Ward No. 08, P.S.- Nautan, Distt.- West Champaran.
6. Madan Mahto S/O Late Jaigovind Mahto @ Jaigovind Mahto R/O Village- Dabariya Ward No. 08, P.S.- Nautan, Distt.- West Champaran.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Parth Gaurav, Advocate
For the Informant : Mr. Sanjeev Kumar, Advocate
Ms. Bharti Rai, Advocate
For the State : Mr. Satya Nand Shukla, A.P.P.

==========

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 28-10-2026 Heard Mr. Parth Gaurav, learned counsel appearing on behalf of the petitioners; Mr. Sanjeev Kumar, learned counsel for the informant and Mr. Satya Nand Shukla, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Nautan P.S. Case No. 363 of 2026, registered for the offence punishable under Sections 126(2), 115(2), 118(1),

WEB COPY

109(1), 303(2), 351(2), 352 and 3(5) of the BNS.

3. As per the allegation made in the FIR, petitioners along with other accused persons, with an intention to kill, had allegedly assaulted the informant and his brother causing injuries on different parts of their body.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and they have falsely been implicated in the present case. He further submitted that out of the six petitioners, the direct allegation is against Tarkeshwar Mahto (petitioner no. 1) and Srikant Mahto (petitioner no. 5) of having assaulted the informant, however, the injury sustained by the informant has been opined by the doctor to be simple in nature. General and omnibus allegation has been levelled against the rest of the petitioners. There is a case and counter-case between the parties and the present case is a counterblast to Nautan P.S. Case No. 362 of 2026, which was lodged by the petitioners' side against the informant and others. Both the parties were involved in dispute with respect to a piece of land, due to which, an altercation took place and both the sides entered into fierce fight and in the self-defence, petitioners may have caused some injury to the the informant and his brother, without intention. Petitioners have clean antecedent. On

WEB COPY

these grounds, petitioners seek to be released on pre-arrest bail.

5. Learned counsel for the informant and learned APP for the State have vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the fact that specific allegation of having assaulted the informant and his brother is against petitioners no. 1 and 5, I am not inclined to enlarge them on pre-arrest bail.

7. So far as petitioners no. 2, 3, 4 and 6 are concerned, considering that general and omnibus allegation has been levelled against them, they are directed to be released on pre-arrest bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned District Court where the case is pending, in connection with Nautan P.S. Case No. 363 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 petitioners no. 2, 3, 4 and 6 as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners no. 2, 3, 4 and 6 as what has been stated in paragraph no. 3, this order will lose**

WEB COPY

its force automatically.

9. Accordingly, the present bail application stands disposed of.

(Purnendu Singh, J)

Niraj/-

U		T	

WEB COPY