

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76266 of 2025

Arising Out of PS. Case No.-214 Year-2025 Thana- JANDAHA District- Vaishali

1. Kalu Mahto S/o Late Dukharan Mahto R/O Village- Azizpur Chand, P.S.- Mahisour, District- Vaishali
2. Ravi Mahto @ Ravi Kumar Mahto S/O Kalu Mahto R/O Village- Azizpur Chand, P.S.- Mahisour, District- Vaishali
3. Rohit Mahto @ Rohit Kumar S/O Kalu Mahto R/O Village- Azizpur Chand, P.S.- Mahisour, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Satya Prakash Sinha, Adv.
For the Opposite Party/s	:	Mr.Mithlesh Kumar Khare, Adv.
For the Informant	:	Mr.Shanti Bhushan Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 19-03-2026 Heard Learned Counsel for the petitioners and
Learned APP for the State.

2. The petitioners are apprehending arrest in connection with Jandaha P.S. Case No.214 of 2025 lodged on 22.05.2025, for the offences punishable under Sections 126(2), 115(2), 118(1), 303(2) and 3(5) of the B.N.S., 2023 and added Section 103(1) of the BNS.

3. As per the prosecution, FIR has been lodged against three named accused persons (present petitioners) and five unknown accused persons against whom there is allegation that son of the informant was returning from his maternal uncle's house with cash Rs.1,50,000/- for marriage purpose, then the



accused persons have assaulted him by lathi and brick and snatched his motorcycle and cash money and injury has also been taken place.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel also submits that from the contents of FIR, it becomes clear that the alleged date of occurrence is 19.05.2025, whereas FIR has been lodged on 22.05.2025. He further submits that the allegation made in the FIR, is absolutely false and the actual truth is otherwise.

5. Counsel further submits that it is true that the son of informant had gone there by motorcycle, but accident took place on the way due to which petitioner No.1 injured and due to this accident, informant also injured and admitted to hospital. In good gesture, petitioners had kept the motorcycle of the accidental person at his house. He further submits that with the help of villagers, the injured persons were admitted to hospital and after information to the police, they informed to his family members. When police has come, then interesting story has come in which petitioners and his son were made accused.

6. Counsel submits that the criminal antecedent of the petitioners is clean and petitioner No.1 is aged about 50 years.



7. Learned counsel for the informant vehemently opposes the prayer for bail and submits that all witnesses are supportive that they had assaulted the informant's son.

8. Learned APP for the State opposes the prayer for bail of the petitioners.

9. From the record, it transpires to this Court from post-mortem report that the injury was on the head but on the other part of the body, it has been caused by hard and blunt objects which resulted into his death.

10. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of C.J.M., Vaishali at Hajipur in connection with Jandaha P.S. Case No.214 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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