

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85873 of 2025

Arising Out of PS. Case No.-294 Year-2025 Thana- TARAIIYA District- Saran

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1. Rupesh Kumar S/o Shatrudhan Mahto @ Satrudhan Mahto, R/o Village Pachbhinda, P.S. Taraiya, Dist. Saran.
 2. Akash Kumar S/o Brij Kishor Mahto, R/o Usari, Baikunthpur, P.S- Baikunthpur, Dist- Gopalganj.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Sarvadeo Singh, Advocate Mr. Sanjay Kumar, Advocate Mr. Devanshu Kumar, Advocate Mr. Bhaskar Bhushan, Advocate Mr. Mangal Murti, Advocate
For the State	:	Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 07-01-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. In the present case, the petitioners seek bail in connection with Taraiya P.S. Case No. 294 of 2025 dated 25.10.2025, registered for the offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2), 118(1), 117(2), 109 and 352 of the B.N.S., 2023.

3. As per the prosecution case, petitioners and other co-accused persons had been assaulting one Amit Kumar, and when the informant and his uncle intervened, they were also assaulted by the petitioners and others. A number of injuries were caused to the victims.



4. Learned counsel appearing on behalf of the petitioners submits that petitioners have falsely been implicated in the present case. There is case and counter version and petitioners' side had lodged Taraiya P.S. Case No. 293 of 2025 against the informant's side and thereafter, in order to create defence, the present false case has been lodged. He further submits that there is no specific allegation against petitioner Rupesh Kumar and the allegation against petitioner Akash Kumar is omnibus with other co-accused persons namely, Chandan, Mukesh and Karan. The co-accused Chandan Kumar and Karan Kumar have been granted bail by a learned co-ordinate Bench of this Court *vide* order dated 17.12.2025 passed in Cr. Misc. No. 86423 of 2025. There was no intention to cause death and injury reports do not support the prosecution version of assault. Learned counsel next submits that petitioners are having clean antecedent and chargesheet has been submitted. Learned counsel lastly submits that petitioners are in custody since 25.10.2025.

5. Learned A.P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioners and submits that there is allegation against the petitioners for causing a number of injuries to their victims.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the



period of custody of the petitioners, their clean antecedent and submission of chargesheet against them, the petitioners, above-named, are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- XIII, Saran at Chapra / concerned Court, in connection with **Taraiya P.S. Case No. 294 of 2025**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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