

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89901 of 2025

Arising Out of PS. Case No.-875 Year-2025 Thana- MADHEPURA District- Madhepura

1. VIBHA DEVI @ BIBHA DEVI Wife of Shiv Sagar Mahto Resident of Village - Bhirkhi, Ward No. 23, P.S.- Madhepura, District - Madhepura, Bihar - 852113.
2. Shiv Sagar Mahto Son of Late Ram Sevak Mahto Resident of Village - Bhirkhi, Ward No. 23, P.S.- Madhepura, District - Madhepura, Bihar - 852113.
3. Santosh Kumar @ Santosh Mahto Son of Ganesh Mahto Resident of Village - Sukhasan, Ward No. 05, P.S.- Singheshwar, District - Madhepura, Bihar - 852128.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anurag Saurav

For the Opposite Party/s : Mr. Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 23-02-2026 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Madhepura P.S. Case No.875 of 2025, dated 25.08.2025 registered for the offence punishable under Sections 115(2), 126(2), 118(1), 109, 303(2), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita and Section 27 of Arms Act.

3. As per the FIR, the petitioners along with 8-10 accused persons armed with several deadly weapons went to the door of the informant and brutally assaulted him.

4. Learned counsel for the petitioners submits that



the petitioners are innocent and have been falsely implicated in the present case. He further submits that there is a case and counter-case between the parties and that the instant case has been lodged as a cover-up. The injuries alleged to have been sustained by the informant and others are simple in nature, whereas the injuries sustained by the family members of the petitioners and Petitioner No. 2 are grievous in nature, which is evident from the Annexure-P/4 series appended to the writ application. Learned counsel for the petitioners, by referring to the injury reports of the other family members, further submits that one Ajay Mahto, a relative of the petitioners, also sustained grievous injuries in the alleged occurrence. Lastly, it is submitted that the petitioners have no criminal antecedents.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioners.

6. Taking into account that the injuries sustained by the informant's side is simple in nature, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six 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 CJM, Madhepura/



Successor Court in connection with Madhepura P.S. Case No.875 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the 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)

shikha/-

U		T	
---	--	---	--

