

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90612 of 2025

Arising Out of PS. Case No.-42 Year-2025 Thana- HASANPUR District- Samastipur

1. Chhotu Kumar @ Chhotelal Kumar S/o Ramu Mahto Resident of Village - Goha, Ward No.5, Police Station - Hasanpur, District - Samastipur.
2. Bharat Kumar S/o Ram Prakash Mahto Resident of Village - Goha, Ward No.5, Police Station - Hasanpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pratik, Advocate.

For the Opposite Party/s : Mr.Rajiv Nayan, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 04-02-2026 Heard learned counsel appearing on behalf of the
petitioners and learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Hasanpur P.S. Case No. 42 of 2025 registered for the offence punishable under Sections 126(2), 115(2), 109(1), 305, 308(3) and 3(5) of the BNS.

3. As per the allegation made in the F.I.R., due to non-fulfillment of demand of ransom, the accused persons including the petitioners assaulted the informant by means of butt of the pistol and iron rod causing injury on his head and right hand.

4. Learned counsel appearing on behalf of the petitioners submitted that the informant has sustained only one



injury and the same has been recorded by the learned District Court as grievous in nature, but the injury is not on the vital part of the body, it is on the hand. In absence of any specific allegation attributable to anyone of the petitioners, the allegation being general and omnibus against the petitioners and they have clean antecedent, learned counsel seeks that the petitioners deserve to be released on pre-arrest bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Having heard the rival submissions and taking into consideration the fact that the informant has sustained one injury, not on the vital part of the body, though the same is grievous in nature as per the impugned order, but in absence of any specific allegation attributable to any one of the petitioners and the allegation being general and omnibus against them, I find that the petitioners have, *prima facie*, made out a case to be released on bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the



satisfaction of learned ACJM-II, Rosera, Samastipur in connection with Hasanpur P.S. Case No. 42 of 2025, subject to the condition as laid down under Section 438(2) Cr.P.C / 482(2) BNSS.

8. The District Court is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

9. The bail application stands disposed of.

(Purnendu Singh, J)

mantreshwar/-

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

