

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.701 of 2026

Arising Out of PS. Case No.-517 Year-2025 Thana- SONEPUR District- Saran

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1. Awdesb Mahto @ Awdhesh Kumar, S/o Late Dhora Mahto, R/o vill - Sabalpur Chaily Tola, (Balua Tola), P.S.- Sonpur, distt.- Saran
 2. Raju Mahato, S/o Tulsee Mahto, R/o vill - Sabalpur Chaily Tola, (Balua Tola), P.S.- Sonpur, distt.- Saran.
 3. Sudha Devi, W/o Late Dhora Mahto, R/o vill - Sabalpur Chaily Tola, (Balua Tola), P.S.- Sonpur, distt.- Saran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Nitish Kumar, Advocate
For the State	:	Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioners and
learned APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Sonepur PS. Case No.517 of 2025 dated-27.05.2025, registered for the offences punishable under Sections 126(2), 115(2), 109, 352, 351(2) and 3(5) of the B.N.S., 2023.

3. As per allegation, all the three Petitioners entered the house of the Informant with intent to steal her goats and on protest, she was assaulted by them by putting *gamcha* around her neck.



4. Learned counsel for the petitioners submit that the Petitioners are innocent and have falsely been implicated in this case. He further submits that as a matter of fact, the Petitioners and the Informant side are on inimical terms. Previously, two criminal cases have been filed by the Informant side, one by the informant herself and the other by her brother against the Petitioner No.2. Hence, this false case has been lodged. He also submits that the alleged injury is simple in nature.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner Nos.1 & 3 have no criminal antecedents, whereas the Petitioner No.2 has been made accused in two other cases.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the previous enmity and simple nature of injury caused, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of



this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Sonapur PS. Case No.517 of 2025, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J.)

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