

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91318 of 2025

Arising Out of PS. Case No.-269 Year-2025 Thana- SURYAGARHA District- Lakhisarai

1. Nandan Kumar, Son of Mukesh Mahto, Resident of Village- Jakarpura (Nirpur), P.S.- Surajgarha, District- Lakhisarai
2. Mukesh Mahto, Son of Adlu Mahto, Resident of Village- Jakarpura (Nirpur), P.S.- Surajgarha, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate

For the Opposite Party/s : Mr. Sateyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-01-2026 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Surajgarha P.S. Case No. 269 of 2025 registered for the offences under Sections 126(2), 115(2), 74, 303(2) 109(1), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. In the night of the fateful day, the petitioners along with others entered into the house of the informant and started teasing her. It is specifically alleged that co-accused Rekha Devi snatched golden ornaments, whereupon petitioner no.2 thrashed her to the ground and petitioner no.1 assaulted her by means of stone over her head, due to which she sustained serious injury.



4. Learned Advocate for the petitioner taking this Court through the F.I.R. contended that admittedly the parties are next door neighbour and the alleged occurrence took place on 07.09.2025, but the present F.I.R. came to be instituted on 11.09.2025, after a delay of three days, but the same has not been explained. Prima facie, the injury, which is allegedly sustained to the informant is concerned, the same appears to be simple in nature, inasmuch as in the impugned order, the learned court though has taken note of the fact that there is head injury, but knowingly did not disclose the nature of injury. The petitioners are men of fair antecedent and they undertake that they will fully cooperate in the proceeding of the court.

5. On the other hand, learned APP for the State opposes the bail application and submits that because of the assault being made by both the petitioners, the informant sustained serious injury over her head.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the delay in lodging of the F.I.R., coupled with the fair antecedent, besides the fact that the learned court has not disclosed the nature of injury, moreover, the weapon, which is



used by the petitioner no.1 is said to be a stone, let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Surajgarha P.S. Case No. 269 of 2025, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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