

IN THE HIGH COURT OF JHARKHAND AT RANCHI
A.B.A. No. 5937 of 2025

1. Prem Mahtha aged about 31 years son of Late
Tilaki Mahtha.

2. Savitri Devi aged about 38 year wife of Prem
Mahtha

Both above serial no. 1 and 2 are resident of
village Salonatanr, Post office & Police Station &
District Deoghar, Jharkhand.

..... ... Petitioners

Versus

The State of Jharkhand.

..... ... Opposite Party

CORAM : HON'BLE MR. JUSTICE SANJAY KUMAR DWIVEDI

For the Petitioners : Mr. Lalit Yadav, Advocate.

For the State : Md. Azeemuddin, A.P.P.

02/ 10.10.2025 Heard learned counsel for the petitioners and learned A.P.P.
for the State.

2. The petitioners are apprehending their arrest in connection
with Deoghar Town P.S. Case No. 255 of 2025, registered for the
offences under Sections 126(2), 115(2), 351(4), 352, 109(1) and 3(5) of
the Bharatiya Nyaya Sanhita, 2023, pending in the court of learned
Chief Judicial Magistrate, Deoghar.

3. Learned counsel appearing for the petitioners submits that
the petitioners are innocent and falsely they have been implicated. He
also submits that the injury has been received, however, at the spurt of
the moment the altercation took place. On this ground he further
submits that the anticipatory bail may kindly be granted.

4. Learned counsel appearing for the State opposes the prayer
and submits that the grievous injury has been received by the
informant.

5. Looking in the contents of the FIR, it transpires that there is
direct allegation of assault against the petitioner no.1, pursuant to that

grievous injury has been received by the informant. In that view of the matter, I am not inclined to grant the anticipatory bail to the petitioner no.1. Hence, his prayer for anticipatory bail is hereby rejected.

6. So far as petitioner no.2 is concerned, she is lady and only allegation against this petitioner is made that she was pelting stone.

7. In the attending facts and circumstances of the case, I am inclined to provide anticipatory bail to the petitioner no.2.

8. Accordingly, the petitioner no.2, above named, is hereby directed to surrender before the learned Court within three weeks from today, and in the event of her surrender/arrest, she, shall be released on bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each, to the satisfaction of learned Chief Judicial Magistrate, Deoghar in connection with Deoghar Town P.S. Case No. 255 of 2025, subject to the conditions as laid down under Section 482(2) of Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sanjay Kumar Dwivedi, J.)

RKM/-
Dated: 10.10.2025