

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56381 of 2025

Arising Out of PS. Case No.-177 Year-2025 Thana- BHAGWANPUR HAT District- Siwan

1. Pankaj Kumar S/O Anil Mahto Resident of vill.- Maghar, P.S.- Bhagwanpur, Dist.- Siwan
2. Gyanti Devi W/O Anil Mahto Resident of vill.- Maghar, P.S.- Bhagwanpur, Dist.- Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Advocate

For the Opposite Party/s : Mrs. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in connection with Bhagwanpur Hat P.S. Case No. 177 of 2025, dated 10.05.2025, lodged under Sections 126(2), 115(2), 118(1), 109, 303(2), 352, 351(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023 (hereinafter referred to as “BNS, 2023”).

3. As per the prosecution, FIR has been lodged against three named accused persons, including the present petitioners, alleging that all the accused persons assaulted the informant, her husband, and daughter. The FIR also contains an allegation of snatching.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He further submits that both parties are adjacent neighbours and are well known to each other. He further submits that, for the same date and place of occurrence, there is a case and counter-case between the parties. He also submits that there is no specific allegation against the present petitioners in this case that they have committed any act or overt act. The specific allegation is against one co-accused, Anil Mahto, who is not a petitioner in the present case. The petitioners are the wife and son of Anil Mahto, and only for this reason they have been made accused in the present case. Furthermore, he submits that the criminal antecedents of the petitioners are clean.

5. Learned APP for the State opposes the prayer for bail of the petitioners but fairly submits that the criminal antecedents of the petitioners are clean and the specific allegation is against one co-accused, Anil Mahto, who is not a petitioner in the present case.

6. As such, in the present facts and circumstances of this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing



bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of A.C.J.M., Siwan, in connection with Bhagwanpur Hat P.S. Case No. 177 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

Aman Kumar/-

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