

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71060 of 2025

Arising Out of PS. Case No.-469 Year-2024 Thana- BANIAPUR District- Saran

Anish Kumar @ Anish Mahto S/o Late Daras Mahto @ Ramdresh Mahto @
Ramdaras Mahto R/o Village- Jahanirpur, P.S.- Baniyapur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ankur Prakash Sinha

For the Opposite Party/s : Mr. Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 127(1), 115(2), 118(1), 117(2), 109, 303(2), 351(1), 352 and 3(5) of B.N.S., 2023.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that Anish and Dipu on 14.10.2024 were consuming liquor and Ganja in the temple, on objection, they became aggressive and left, but came back after sometime with 11 accused persons including the petitioner and Dipu assaulted the informant by sword causing injury on forehead and nose, thereafter, Deepak assaulted his wife Chinta Devi by *Daw*



causing injury on finger, while Paras and Mithun assaulted him by leg and fist, thereafter Ram Babu held his wife by hair and started dragging on account of which she was unveiled. Thereafter Murti Devi snatched her Mangalsutra and Anish assaulted his nephew Raj Kishore indiscriminately by sword causing injury on head while Babadham Mahto and Rangeela assaulted Laila by fist and leg and dragged her on account of which she became disrobed while Anita snatched earring of Laila, further Sunita Devi tried to strangle his wife by rope and she became unconscious.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that the instant case is a counter blast to Baniyapur P.S. Case No.467 of 2024 instituted from the side of the petitioner against the informant and his side. It is submitted that in Baniyapur P.S. Case No.467 of 2024, it is alleged that the son of the informant of the said case, namely, Dipu was returning after attending call of nature on 14.10.2024 when he was assaulted by informant and others. It is also submitted that in the instant case, the petitioner is alleged to have assaulted Raj Kishore indiscriminately by sword causing injury on head but then from perusal of the injury report of Raj



Kishore annexed with the supplementary affidavit, it would manifest that the injury has been opined to be simple. It is also submitted that had the petitioner assaulted Raj Kishore indiscriminately by sword, in that event, Raj Kishore would have suffered multiple injuries but then he had suffered only one injury which also casts an aspersion on the case of the prosecution. It is also submitted that petitioner is not a criminal.

5. The learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, let petitioner, above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/Successor Court in connection with Baniyapur P.S. Case No.469 of 2024, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

7. The Court after perusing the office copy of the supplementary affidavit has passed the order. The office is directed to locate the supplementary affidavit filed on behalf of



the petitioner on 07.11.2025 and annex the same with the
record.

(Satyavrat Verma, J)

Sanjay/-

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