

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78703 of 2025

Arising Out of PS. Case No.-85 Year-2025 Thana- AKILPUR District- Saran

Shambhu Mahto Son of Late Deo Charan Mahto R/o Village- Manas Naya
Panapur, P.S.- Akilpur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-12-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State, Mr. Rabindra Kumar.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 126(2),
115(2), 118(1), 109, 303(2), 329(3), 352, 351(2), 351(3) and
3(5) of the BNS, 2023.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that accused persons came on 19.08.2025 and on order
of Pinki, petitioner assaulted her by dab causing injury on head,
while Mukesh snatched Rs. 5,000/- and Amit caught her waist
and thereafter petitioner assaulted her son by dab causing injury
on head and Pinki snatched chain of her son.

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 from perusal of the allegation as alleged in the FIR, it would manifest that the date of occurrence is 19.08.2025 and the FIR came to be instituted on 02.09.2025 i.e. after a delay of more than 12 days without any plausible explanation. It is also submitted that had the injured been assaulted in the manner as alleged, in that event the hospital would have informed the police, but then from perusal of the FIR, it would manifest that the FIR has been instituted based on written application of the informant. It is next submitted that from side of the petitioner, Akilpur P.S. Case No. 82 of 2025 has been instituted against the informant and her side, as such, the instant FIR is a counterblast. It is further submitted that though the order impugned records about the case diary, but then injury report is not mentioned which amply demonstrates that allegation of assault is exaggerated. It is next submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the 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 Akilpur P.S. Case No. 85 of 2025 subject to the conditions as laid down under Section 482 (2) of BNSS. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

7. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

8. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

Rishabh/-

U		T	
---	--	---	--

