

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2893 of 2026

Arising Out of PS. Case No.-69 Year-2025 Thana- BANDHUWA KURAWA District- Banka

Mohan Yadav @ Mohan Mahto Son of Late Samal Yadav Resident of Village-
Phaga, Digari Pahari, P.S.- Bandhua Kurawa, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Suman Kumari Singh

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 28-01-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 126(2), 115(2), 117(2), 118(1), 118(2), 109(1), 74, 75, 76, 352, 79, 351(2), 3(5) of the B.N.S.

3. The allegation in the first information report is that the petitioner assaulted the informant with axe on her head and other parties.

4. Learned counsel for the petitioner submits that the informant and the petitioner are Gotiyas and a false allegation of assault with axe has been attributed to this petitioner as the injury report shows to the contrary as the injuries are in nature of abrasion and tenderness. While the injury report Annexure-2 indicates that the first two injuries are simple in nature, the opinion has been reserved with regard to injury nos. 3 and 4 but



both the injuries reflect that they are in the nature of tenderness on the right hand and chest caused due to hard substances which again does not fall in line with the allegation of axe blow. It has further been submitted that the FIR was also lodged after a delay of six days for which no explanation has been tendered.

5. Learned APP for the State has opposed the application for anticipatory bail.

6. Taking into consideration the facts and circumstances and also considering the fact that there was dispute between the gotiyas coupled with the delay in the FIR, let the above named petitioner, who has no criminal antecedent, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bandhua Kurawa P.S. Case No. 69 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

(Soni Shrivastava, J)

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