

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4571 of 2026

Arising Out of PS. Case No.-330 Year-2025 Thana- NARDIGANJ District- Nawada

1. Mithun Kumar S/o- Rajendra Mahto @ Rajendra Prasad R/o Vill - Buchchi, P.S - Nardiganj, Dist - Nawada
2. Rajo Mahto @ Rajendra Mahto S/o- Pyare Mahto R/o Vill - Buchchi, P.S - Nardiganj, Dist - Nawada
3. Pawan Kumar @ Pawan Mahto S/o- Dev Mahto R/o Vill - Buchchi, P.S - Nardiganj, Dist - Nawada
4. Subodh Prasad @ Subodh Mahto S/o- Kedar Mahto R/o Vill - Buchchi, P.S - Nardiganj, Dist - Nawada
5. Guddu Mahto @ Rajeev Kumar S/o- Late Tuleshwar Mahto R/o Vill - Buchchi, P.S - Nardiganj, Dist - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-02-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 126(2), 127(2), 118(1), 115(2), 110, 191(1), 192 and 190 of the BNS.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant alleges that he was going to attend a programme when he was intercepted by 30-40 accused persons and Bittu Kumar with *khanti* and Ranjit Kumar with *gandasa* assaulted him on his



head and thereafter 22 named accused persons including the petitioners assaulted him by *lathi*, *danda* and *butt* of rifle.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that allegation of assault against the petitioners is general and omnibus in nature. It is next submitted that had so many accused assaulted the informant in the manner as alleged in the FIR in that event the informant would not have been in a position to get the FIR instituted based on a written application after a day of the occurrence rather the FIR would have been instituted in the hospital based on his fardbeyan. It is also submitted that from the side of the petitioners also Nardiganj P.S. Case No. 329 of 2025 was instituted against the informant and his side in which it was alleged that informant along with others have brutally assaulted Bittu Kumar as would manifest from Annexure-4 serious to the anticipatory bail application. It is further submitted that petitioners are not the criminals.

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

6. Considering the submissions made by the learned



counsel for the petitioners, let the petitioners above-named, in the event of their 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) each 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 Nardiganj P.S. Case No. 330 of 2025, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

(Satyavrat Verma, J)

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