

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5912 of 2026

Arising Out of PS. Case No.-464 Year-2025 Thana- KESARIA District- East Champaran

1. Mahesh Mahto Son of Shree Mahto R/o Village - Dilawarpur, Ward no. 9, P.S. - Kesaria, Dist. - East Champaran at Motihari.
2. Deepak Mahto @ Deepak Kumar Son of Mahesh Mahto R/o Village - Dilawarpur, Ward no. 9, P.S. - Kesaria, Dist. - East Champaran at Motihari.
3. Pankaj Kumar Son of Dinesh Mahto R/o Village - Dilawarpur, Ward no. 9, P.S. - Kesaria, Dist. - East Champaran at Motihari.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar Singh
For the Opposite Party/s : Mr.Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 15-04-2026 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Keshariya Police Station Case No. 464 of 2025, dated 07.10.2025, disclosing offences punishable under Sections 126(2)/115(2)/118(1)/109/76/303(2)/352/351(2)/3(5) of the Bhartiya Nyaya Sanhita, 2023.
3. The prosecution case, as per the First Information Report, is that on 04.10.2025, at about 7 PM in the evening, co-accused Dinesh Mahto blocked the drainage meant for flowing of rain water and when the informant went to



unblock it, the petitioners, along with co-accused Dinesh Mahto, variously armed, assaulted the informant. The petitioner no. 1 assaulted one Neeraj Mahto on his head by iron rod, causing injury on his head; the petitioner no. 2 inflicted sword blow on the head of one Akhilesh Mahto, causing injury on his head, and the petitioner no. 3 assaulted the informant and others by lathi.

4. Learned Counsel for the petitioners submits that both the parties are agnates and the occurrence took place on a petty dispute of drainage of rain water. There is case and counter case between the parties inasmuch as Keshariya Police Station Case No. 470 of 2025, has been lodged by the wife of petitioner no. 1 against the informant and others for the offences punishable under Sections 126(2)/115(2)/118(1)/303(2)/76//352/3(5) of the Bhartiya Nyaya Sanhita, 2023. He further submits that the injuries attributable to the petitioners are simple in nature. He next submits that similarly situated co-accused person, namely, Dinesh Mahto, against whom there is allegation of inflicting farsa blow on the head of the informant, has been granted anticipatory bail by a co-ordinate Bench of this Court, vide order, dated 25.03.2026, passed in



Criminal Misc. No. 14956 of 2026.

5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that both the parties are agnates, the injuries attributable to the petitioners are simple in nature and co-accused, Dinesh Mahto, has been granted anticipatory bail by a co-ordinate Bench of this Court, I am inclined to grant the petitioners privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, at Motihari, in connection with Keshariya Police Station Case No. 464 of 2025, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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