

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5701 of 2026

Arising Out of PS. Case No.-401 Year-2024 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Suresh Mahto @ Suresh Kumar S/O Fekan Singh @ Fekan Mahto R/o Village
- Ward no.- 1, Laguniya Raghu Kanth, P.S- Samastipur Muffasil, District-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr.Bijay Bhushan Prasad, Advocate
For the State : Mr.Shailendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-02-2026 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 126(2),
115(2), 109, 76, 3(5) and 303(2) of the B.N.S., 2023.

3. As per the prosecution case, it is alleged that this
petitioner, along with co-accused Arvind Mahto and Chhotelal
Mahto, grabbed the hair of the informant, dragged her and
assaulted her with fist and slap.

4. It is submitted by learned counsel appearing on
behalf of the petitioner that petitioner is quite innocent and has
committed no offence. Allegation of assault is general and
omnibus and no specific accusation of overt act has been alleged
against this petitioner. Doctor has found the injury, allegedly



caused by this petitioner, simple in nature. Moreover, co-accused Chhotelal Mahto, having similar and identical allegations, has already been granted anticipatory bail by this Hon'ble Court vide order dated 08.04.2025 in *Cr. Misc. No. 10686 of 2025*.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation and claim based on parity, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Samastipur in connection with Muffasil P.S. Case No. 401 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

Shashank/
Abhishek-

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