

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15029 of 2026

Arising Out of PS. Case No.-2 Year-2026 Thana- SURYAGARHA District- Lakhisarai

Virendra Mahto @ Virendra Kumar Rai S/o Late Bhuvneshwar Mahto R/o
Village - Babadham Jagdishpur, P.S - Suryagarha, District - Lakhisarai
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-03-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 126(2),
115(2), 74, 103(1) and 3(5) of the BNS.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that accused persons came to his house on 31.12.2025, at
03:00 p.m., and petitioner was talking to his brother, namely,
Kartik on mobile who gave orders to throw the informant and
others from the house. Further, the petitioner assaulted the
informant by an iron rod causing injury on his head while
Gulshan snatched *dupatta* of his niece and Gaurav assaulted her
causing injury on head, thereafter, Anil, Vijay and Surendra
assaulted the wife of the informant by lathi causing injury on



hand and leg.

4. Learned counsel for the petitioner submits that petitioner has 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 the FIR was instituted under Section 103 of the BNS when no one was killed in the occurrence. It is, thus, submitted that Section 103 of the BNS was deliberately added. It is next submitted that from the side of the petitioner, Suryagarha P.S. Case No. 01 of 2026 came to be instituted against the informant and others. It is also submitted that in Suryagarha P.S. Case No. 01 of 2026, it is alleged that son of the petitioner was assaulted by the side of the informant causing injury on his head. It is further submitted that the injury suffered by the informant and his side in the instant case has been opined to be simple in nature as would manifest from the injury report of Nagendra Mahto annexed as Annexure-P/5 to the anticipatory bail application.

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, let the petitioner, above-named, in the event of his arrest or surrender 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 Suryagarha P.S. Case No. 02 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the B.N.S.S.

(Satyavrat Verma, J)

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