

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17033 of 2026

Arising Out of PS. Case No.-644 Year-2025 Thana- CHAPRA MUFFASIL District- Saran

1. Chandan Kumar Mahto @ Chandan Mahto Son of Ashok Mahto Resident of Village -Gheghataganj PS -Chapra Muffasil District -Saran
2. Suraj Kumar Mahto @ Suraj Mahto Son of Ashok Mahto Resident of Village -Gheghataganj PS -Chapra Muffasil District -Saran
3. Ranjit Kumar Mahto @ Ranjit Kumar Son of Ashok Mahto Resident of Village -Gheghataganj PS -Chapra Muffasil District -Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjani Parashar
For the Opposite Party/s : Ms.Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-04-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Chapra Mufassil P.S Case No. 644 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 118(2), 109 and 3(5) of the Bharatiya Nyaya Sanhita and later on Section 103 BNS has been added.

3. Learned counsel for the petitioners submits that petitioners have antecedent of one case instituted by the side of the informant and the informant alleges that on 3-12-2025 at 9:30 pm, six named accused persons including the petitioners



came and assaulted his brother Kanahiya by knives about 10 times on different parts of the body and fled, but his brother somehow reached the house of Narad Singh and thereafter he was admitted in a hospital from where he was referred to PMCH and died during the course of treatment.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that informant is not an eye-witness to the occurrence nor the allegation even remotely suggests that the informant based on information given by his brother instituted the instant FIR. It is also submitted that earlier Chapra Mufassil P.S Case No. 225 of 2013 was instituted against the petitioners and others by the side of the informant in which trial is going on, as such the informant with a view to coerce the petitioners into submission implicated them in the instant false case. It is next submitted that deceased was a dreaded criminal of the locality as has been pleaded at para-8 of the anticipatory bail application.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that what is not in dispute rather stands admitted is that brother of the informant on account of assault died during the course of treatment. It is



next submitted that specific allegation as alleged in the FIR is that six named accused persons including the petitioners brutally assaulted his brother Kanahiya by knives causing injury on different parts of the body. It is further submitted that criminal cases cut both ways, it is also submitted that it might be a possibility that since trial was going in Chapra Mufassil P.S Case No. 225 of 2013, as such to coerce the informant and his brother into submission, the occurrence was committed. It is also submitted that investigation of the case is in its nascent stages and if privilege of anticipatory bail is granted to the petitioners, the petitioners may abscond. Learned APP further submits that a bald statement at para-8 of the anticipatory bail application has been made that the deceased was a dreaded criminal of the locality, but then the learned counsel appearing on behalf of the petitioners for reasons best known has not disclosed the number of cases which were pending against the deceased. It is also submitted that even a criminal cannot be assaulted in the manner as alleged in the FIR. It is further submitted that the brutality of the petitioners was such that it led to ending the life of the brother of the informant.

6. Considering the submission made by learned APP, the Court is not inclined to extend the privilege of anticipatory



bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Satyavrat Verma, J)

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