

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17870 of 2026

Arising Out of PS. Case No.-548 Year-2025 Thana- BARUN District- Aurangabad

1. Abhishek Kumar @ Surendra Kumar S/O Surjan Mahto @ Suranjan Mahto R/O Village-Ratanpura, P.S- Barun, District-Aurangabad.
2. Nagendra Mahto @ Nagendra Singh S/O Balkeshwar Singh R/O village-Mahuari, P.S - Barun, District-Aurangabad.
3. Surjan Mahto @ Suranjan Mahto S/O-Late Ramdeni Mahto R/O Village-Ratanpura, P.S- Barun, District-Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Mukul Kumari

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-05-2026 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), 115(2), 74, 109, 352, 351(2) and 3(5) of the Bharatiya Nyaya Sanhita.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that he was getting *Shisham* tree cut on his land, when accused persons came and Abhishek (petitioner no. 1) assaulted him by knife causing injury on his back, thereafter Nagendra



(petitioner no. 2) assaulted by knife causing injury on hand, while Surjan (petitioner no. 3) assaulted Sandip by an iron rod causing injury on cheek and hand and Surjan along with Shanti dashed Vimla on ground and Surjan assaulted by rod causing injury on her head.

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 on account of dispute relating to cutting of *Shisham* tree, the occurrence is alleged to have taken place. It is further submitted that the informant and the petitioners are agnates and the dispute is with respect to the land on which *Shisham* tree is standing.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that there is specific allegation against the petitioner nos. 1 and 2 of assaulting the informant by knife causing injury, it is also submitted that knife is a dangerous weapon, it is next submitted that if there was a dispute, the parties could have tried to settle the issue, but then using knife causing injury amply demonstrates the mindset, but then is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that Surjan is not alleged to have assaulted the



injured by knife and the injury suffered on account of his assault is simple in nature.

6. After hearing the learned counsel for the parties, the petitioner no. 3 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 Barun P.S. Case No. 548 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner nos. 1 and 2. Accordingly, the prayer for anticipatory bail of the petitioner no. 1 and 2 is rejected.

(Satyavrat Verma, J)

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