

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17714 of 2026

Arising Out of PS. Case No.-145 Year-2025 Thana- Sonki District- Darbhanga

Santosh Mahto Son of Dev Narayan Mahto R/O- Dekuli Chatti, Post - Kapchhahi, Basdeopur Darbhanga Kapchhahi, P.S.- Sonki, District - Darbhanga, Bihar – 846009.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajkumar Rajesh, Advocate
	:	Mr. Jeet Kishor Mahto, Advocate
For the Opposite Party/s	:	Mr. Anand Kishore Choudhary, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 03-04-2026 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), 118(1), 109, 132, 191(2), 191(3), 190, 324(4)(5), 74 and 127(2) of the B.N.S.

3. The allegation in the First Information Report is that the petitioner along with others are said to have abused, assaulted the informant and other police personnel and deterred a public servant from discharging his duty.

4. Learned counsel for the petitioner submits that the entire incident arose out of the fact that one Sunita Kumari was being taken by the lady constable on account of recovery of 1.20 litres of illegal liquor which was being objected to by the



villagers. So far as the petitioner is concerned, he happens to be villager, as such, the petitioner has been made an accused along with Sunita Devi and other unknown persons. It has been submitted that injuries received by the police personnel was on account of a mob fury and the said injuries are also simple in nature as the learned counsel has stated the same in para-9 of the petition.

5. Learned APP for the State opposed the prayer for anticipatory bail on the basis of allegations made in the First Information Report.

6. Taking into consideration the facts and circumstances of the case and also considering the nature of injuries, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Sonki P.S. Case No. 145 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, subject to condition(s) that:-

(i) One of the bailors will be his own blood relative,



preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when so required, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Soni Shrivastava, J)

anand/-

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