

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20981 of 2026

Arising Out of PS. Case No.-279 Year-2025 Thana- DAUDPUR District- Saran

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1. Rajan Mahato @ Rajan Mahto S/O Lalan Mahato R/O Village- Laguni Ke Tari, P.S- Daudpur, Distt.- Saran.
 2. Bittu @ Bittu Mahato @ Bittu Kumar S/O Lalan Mahato R/O Village- Laguni Ke Tari, P.S- Daudpur, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Raushan Raj, Advocate
For the State	:	Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 15-07-2026 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Daudpur P.S. Case No. 279 of 2025 registered for the offence under Sections 126(2), 115(2), 118(1), 109, 303(2) and 3(5) of the B.N.S., lodged on 11.11.2025 by the informant, Madan Mahto.

3. The coordinate Bench on 22.04.2026 rejected the anticipatory bail application of petitioner no.1 (Rajan Mahato @ Rajan Mahto) as withdrawn due to his arrest.

4. As per the prosecution story, the informant alleged that Rajan Mahto tried to outrage of the female inmates who had gone to attend the nature's call and upon objection, the assault took place in which Rajan Mahto gave axe blow on the head of Ajit while the petitioner no.2. Bittu @ Bittu Mahato @ Bittu Kumar gave chain blow to the lady Seema Devi causing injury.



They were shifted to the hospital which followed the F.I.R.

5. Learned counsel for the petitioner submits that though allegation of assault is on petitioner no.2, the injury has been found to be simple in nature. Further, he has no criminal antecedent and last submission is that without accepting the allegation or outcome of the present petition, the petitioner no.2. Bittu @ Bittu Mahato @ Bittu Kumar intend to pay Rs.5,000/- to the informant towards treatment by Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank to be submitted at the time of execution of bail bond.

6. Learned counsel representing the informant on the other hand submits that even the assault by petitioner no.2 is on the head which is a vital part.

7. It is to be noted that earlier, the coordinate Bench called for the case diary and injury which are on record and while the injury to Ajit has been found to be grievous in nature, so far as Seema Devi is concerned, the injury has been found to be simple in nature and further, the Doctor has recorded that she chose not to produce the X-Ray Plate which was recommended for scan of her head.

8. Considering the submissions of the parties as also the petitioner no.2 has no criminal antecedent, in only 20 years of age, a student, in that background, this Court is inclined to



extend him the privilege of anticipatory bail subject to payment of Rs.5,000/- to the informant as undertaken by the learned counsel for the petitioner through Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank to be submitted at the time of execution of the bail bond and after checking credentials to be handed over to the informant.

9. Let the the petitioner no.2. Bittu @ Bittu Mahato @ Bittu Kumar be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, First Class, Chapra, Saran, in connection with Daudpur P.S. Case No. 279 of 2025 subject to the following conditions:-

(i) one of the bailor should be the family member/relative of the the petitioner no.2. Bittu @ Bittu Mahato @ Bittu Kumar who shall provide official document (Aadhar Card/Voter Id/Driving License/Pan Card) to show his/her bona fide;

(ii) the the petitioner no.2. Bittu @ Bittu Mahato @ Bittu Kumar shall be appearing before the Police Station as and when required for cooperating in the investigation;

(iii) the the petitioner no.2. Bittu @ Bittu Mahato @



Bittu Kumar shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iv) the the petitioner no.2. Bittu @ Bittu Mahato @ Bittu Kumar shall appear before the concerned police station every month for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(v) the the petitioner no.2. Bittu @ Bittu Mahato @ Bittu Kumar shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the the petitioner no.2. Bittu @ Bittu Mahato @ Bittu Kumar shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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