

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29682 of 2026

Arising Out of PS. Case No.-44 Year-2026 Thana- HASANGANJ District- Katihar

Bahadur Mahto S/o Chhedilal Mahto Resident of Village - Panserwa, P.S. -
Hasanganj, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Adv.

For the Opposite Party/s : Mr.Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 24-06-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Hasanganj P.S. Case No. 44 of 2026 dated 10.02.2026 registered for the offence punishable under Section/s 126(2), 115(2), 109, 352, 351(2) & (3), 303(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. The prosecution case, in short, is that on 10.02.2026, Bahadur Mahto (petitioner) and Kiran Devi assaulted the informant, Niranjan Mahto, with a spade and lathi when he objected to them throwing mud and dirty water onto his crops, causing head injuries. It is further alleged that they robbed him of Rs. 750/- and a silver chain before fleeing.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. There is a case and counter case between the parties for the same and similar incident in which both the parties have sustained injuries. It is alleged that the injuries which is said to have been sustained by the Informant is found to be simple in nature. Lastly, it is submitted that the petitioner is a person of clean antecedent.

5. Learned APP for the State opposes the prayer for grant of anticipatory bail.

6. Having heard learned counsel for the parties and considering the fact that there is a case and counter case between the parties and the injury sustained by the Informant is found to be simple in nature and as also the petitioner having no criminal antecedent, let the petitioner, above named, be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of six 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 learned Judicial Magistrate- 1st Class, Katihar in connection with Hasanganj P.S. Case No. 44 of 2026, subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:



(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document / personal affidavit to show his/her bona fide;

(ii) the petitioner(s) 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 bail bond by the Trial Court itself;

(iii) the petitioner(s) 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.

(Ajit Kumar, J)

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