

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33568 of 2026

Arising Out of PS. Case No.-4 Year-2026 Thana- AMNAUR District- Saran

1. Birendra Mahato S/o Asharfi Mahato Resident of Village- Khas Patti, P.S.- Amnaur, District-Saran
2. Mishri Mahto S/o Chandrika Mahto Resident of Village- Khas Patti, P.S.- Amnaur, District-Saran
3. Pradeep Mahto @ Pradeep Kumar S/o Nathuni Mahto Resident of Village- Khas Patti, P.S.- Amnaur, District-Saran
4. Muniya Devi @ Munniya Devi W/o Nathuni Mahto Resident of Village- Khas Patti, P.S.- Amnaur, District-Saran
5. Nathuni Mahto S/o Chandrika Mahto Resident of Village- Khas Patti, P.S.- Amnaur, District-Saran
6. Sunita Kumari D/o Nathuni Mahto Resident of Village- Khas Patti, P.S.- Amnaur, District-Saran
7. Tejan Mahto S/o Chandrika Mahto Resident of Village- Khas Patti, P.S.- Amnaur, District-Saran
8. Mantu Mahto @ Mantu Kumar S/o Asharfi Mahto Resident of Village- Khas Patti, P.S.- Amnaur, District-Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 19-05-2026 Heard the learned counsel for the parties through virtual mode.

2. Petitioners apprehend their arrest in connection with Amnaur P.S. Case No. 4 of 2026 registered for the offences under Sections 126(2), 115(2), 109(1), 118(1), 352, 351(2), 74, 3(5) of the Bharatiya Nyaya Sanhita, 2023.



3. The prosecution case is to the effect that the petitioner, namely, Nathuni Mahto and Pradeep Mahto @ Pradeep Kumar, are said to have intercepted the informant and threatened her to compromise the case bearing Amnaur P.S. Case No. 172 of 2025. It is further alleged that all the accused persons, including the petitioners, started assaulting with lathi and even abused and resulting in a head injury to the daughter of the informant, namely, Neha Kumari, who was assaulted specifically by petitioner no.5 Nathuni Mahto, who was carrying an iron rod.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case with general and omnibus allegations. It has further been submitted that even if the specific allegation of assault on Nathuni Mahto is taken into account, from the perusal of Annexure-P/2, it would be evident that the injury was found to be simple in nature and in an exaggerated manner, the entire incident has been lodged against all the family members of the petitioners. It has next been submitted that in fact the present case is a counterblast to the case lodged on behalf of the petitioners, which was registered earlier than the present case and subsequently, the parties entered into a compromise and they have no grievances



against each other.

5. Learned APP for the State has opposed the prayer for anticipatory bail and has stated that the petitioner no.5 had assaulted the daughter of the informant on the head, which is a vital part of the body.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioners above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) each 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 Amnaur P.S. Case No. 4 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioners shall be their close relative.

(ii) The petitioners shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.



(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of their bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for anticipatory bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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