

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34308 of 2026

Arising Out of PS. Case No.-159 Year-2026 Thana- KATIHAR NAGAR District- Katihar

Santosh Mahto @ Santosh Kr. Mahto S/o Chandrika Mahto Resident of
Mohalla- Mofarganj, F.C.I. Chowk, P.S.- Nagar, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Prasad Sah, Adv

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

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

2 18-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State and learned counsel
for the informant.

2. The Petitioner is apprehending his arrest in connection with Katihar Town P.S. Case No. 159 of 2026 registered for the offences punishable under Sections 126(2), 115(2), 352, 74, 316(2), 318(4), 3(5) of the BNS.

3. As per the prosecution case, Rs. 6,10,000/- in total was taken from the husband of the petitioner for the purposes of executing sale deed but neither the sale deed was executed nor the money was returned. It has further been alleged that on 06.02.2026, at 12:00 P.M., petitioner and three other unknown associates came to her house and abused in filthy languages and also pushed the informant.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It has been further submitted that the narrations in FIR, clearly goes to show that this is a case of civil dispute and if the informant or her husband was aggrieved by non execution of sale deed after taking money, a suit for specific performance of contract would have been brought on record to the competent court of civil jurisdiction. It has further been submitted that petitioner has also sent legal notice to the informant for payment of balance money and execution of sale deed. It has further been submitted that petitioner has filed a *sanha* to this effect. It has lastly been submitted that the petitioner has got no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant has vehemently opposed the prayer for anticipatory bail of the petitioner and has submitted that petitioner from the very inception had intention to defraud the informant.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be



enlarged on anticipatory bail 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 concerned in connection with Katihar Town P.S. Case No. 159 of 2026, subject to the conditions as laid down under Section 482(2) of the Bharitya Nagrik Suraksha Sanhita (B.N.S.S.)

7. This application stands allowed.

(Praveen Kumar, J)

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