

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33960 of 2026

Arising Out of PS. Case No.-29 Year-2026 Thana- ANGARH District- Purnia

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Awdhesh Mahto S/o Dhanilal Mahto @ Dhanawa Mahto R/o village
Dhusmal, Ward No.- 11, P.S.- Angarh, District – Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 21-05-2026 Heard the learned counsel for the petitioner, and

learned Additional Public Prosecutor for the State through

virtual mode.

2. The petitioner is apprehending his arrest in
connection with Angarh P.S. Case No. 29 of 2026, dated
12.02.2026 registered for the offences punishable under
Sections 126(2)/127(2)/115(2)/117(2)/109(1)/352/3(5) of the
BNS.

3. As per prosecution case, on 11.02.2026 at about
7:00 P.M., the nephew's son of the informant namely Piyush,
aged about 2 years, fell down from the floor of the temple and



sustained injury. Thereafter, accused Awadhesh Mahto alleged that the grandson of the informant namely Manjeet Kumar was responsible for the fall and started assaulting him. Upon protest made by the wife of the informant namely Bijli Devi, all the accused persons variously armed with lathi and sticks entered into the courtyard of the informant and assaulted the family members of the informant. It is further alleged that thereafter accused Awadhesh Mahto again came armed with bamboo and assaulted the wife of the informant on her head with intention to kill, causing bleeding injuries on her head and ear, due to which she became unconscious and fell down. The injured was taken to Sadar Hospital, Kishanganj and thereafter referred to Rahmani Nursing Home, Kishanganj where she is under treatment and her condition was stated to be critical.

4. Learned counsel for the petitioner submits that petitioner is innocent, has committed no offence and has falsely been implicated in this case. Counsel for the petitioner by referring to the impugned order submits that wife of the informant Bijli Devi is said to have been assaulted by the petitioner Awdhesh Mahto, due to which she has sustained injuries on her head. From perusal of the injury report of Bijli



Devi, it appears that doctor has found the following injuries;

1. Tenderness side of temporal region of scalp, 2. Headache, CT scan report shows- Minimally displaced fracture in left zygomatic bone with overlying soft tissue swelling. It has next been submitted that doctor has found these injuries to be grievous in nature while the impugned order further reads that a compromised petition has also been filed by the informant and his wife Bijli Devi stating therein that due to well wishers compromised has been arrived between both the parties. The informant and his wife were physically present in the court and accepted the factum of compromise. It is admitted position on the fact that petitioner and informant are next door neighbors and they do not want to proceed with the litigation further.

5. Learned APP for the State opposes the prayer for anticipatory bail application.

6. Considering the aforesaid circumstances and the fact that a compromise has been arrived between the parties despite the aforesaid injuries having been caused to the informant's wife and both the informant and his wife were physically present in the court and they accept the factum of compromise, this Court is inclined to grant the privilege of



anticipatory bail to the petitioner.

7. Let the petitioner, above named, in the event of his/her arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with Angarh P.S. Case No. 29 of 2026, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita and with other 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/her/their 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;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

Abhishek/-

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