

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35165 of 2026

Arising Out of PS. Case No.-206 Year-2026 Thana- CHAPRA TOWN District- Saran

1. Baliram Mahto S/o Late Lal Babu Mahto Resident of Village- Rupganj, P.S. - Town, District - Saran
2. Raja Kumar @ Raja Mahto S/o Shyam Babu Mahto @ Shyam Babu R/o vill - Sahebganj, Sonarpatti, P.s.- Town, Distt.- Saran
3. Vijay Kumar @ Vijay Mahto S/o Shyam Babu Mahto @ Shyam Babu R/o vill - Sahebganj, Sonarpatti, P.s.- Town, Distt.- Saran
4. Shyam Babu Mahto @ Shyam Babu S/o Late Sudarshan Mahto R/o vill - Sahebganj, Sonarpatti, P.s.- Town, Distt.- Saran

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Adarsh Ranjan, Advocate
For the Opposite Party/s : Mr.Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 03-07-2026 Heard learned counsel for the petitioners and learned APP for the State.

2. The accused-petitioners, named in the F.I.R., are apprehending their arrest in connection with Town P.S. Case No. 206 of 2026 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 303(2), 352, 351(2) & 3(5) of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.') and section 27 of the Arms Act.

3. The allegation against the petitioners is to assault the informant and others alongwith seven co-accused persons causing head and bodily injury, where the occurrence alleged to



be arising out of previous enmity.

4. Learned counsel appearing on behalf of the petitioners submitted that the occurrence was free fight in nature where both parties received injury and, therefore, it can be safely said that petitioners were not under intention to cause death of the injured.

5. It is pointed out that for same set of occurrence petitioners had also lodged a case against the informant which was registered as Saran Town P.S. Case No. 205 of 2026 lodged by Pappu Kumar. It is further argued that upon medical examination, the injury was found single and simple in nature.

6. Explaining criminal antecedent of the petitioners, it is submitted that petitioner no. 1 found involved in six cases; petitioner no. 2 found involved in three criminal cases; petitioner no. 3 found involved in two criminal cases and petitioner no. 4 found involved in six criminal cases, all are of petty nature, in which petitioners are on bail.

7. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

8. In view of the aforesaid factual submissions and by taking note of the fact as the allegation *qua* physical assault *prima facie* not appears repeated, where injury upon medical



examination found simple in nature, accordingly, all above-named petitioners, in the event of their arrest/surrender within a period of four weeks from this order, are directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra/concerned court in connection with Town P.S. Case No. 206 of 2026, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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