

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39116 of 2026

Arising Out of PS. Case No.-50 Year-2026 Thana- JALALGARH District- Purnia

Shiv Narayan Mahto S/o Sukhan Mahto Resident of Village- Sarsauni
Bijuliya, P.S.- Jalalgarh, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 17-06-2026 Heard the learned Advocate for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection with Jalalgarh P.S. Case No. 50 of 2026, registered for the offences punishable under Sections 115(2), 117(2), 118(1), 76, 109, 351(2), 352 & 3(5) of BNS.

3. Allegedly on the fateful day, while the accused persons, including the petitioner, were allegedly abusing the wife and children of the informant and when the same was objected, the petitioner assaulted the informant by means of sharp weapons on his head, due to which he sustained serious injury. It is further contended that other accused persons, including the petitioner, have also assaulted the other family members as well as the informant.



4. Learned Advocate for the petitioner submitted that the informant is none-else but the full brother of the petitioner and the genesis of the occurrence is nothing but a pending land dispute between them, due to which both the families entered into a free fight resulting into some unfortunate injury. In the said incidence, the wife of the petitioner has also sustained injury in the right temporal, occipital and parietal region, due to which she remained admitted at GMCH, Purnea for two days, and an FIR in this regard has also been instituted being Jalalgarh P.S. Case No. 51 of 2026 against the informant and his family members. So far the injuries sustained to the informant is concerned, out of which, one of the injury has been found to be grievous in nature, though it has not been disclosed whether it was sustained to the vital part of the body or not. It is further contended that the parties are close relatives and they wanted to settle the matter amicably and if the petitioner would be sent behind the bar, there is least chances of settlement. The petitioner bears fair antecedent.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application and submits that the petitioner is the author of a grievous injury.

6. Having considered the submissions advanced by



learned Advocate for the respective parties and taking note of the delay in lodging of the FIR, coupled with factum of case and counter case as also the fact that both the petitioner and the informant are full brother and there is chances of settlement between the parties, besides the fair antecedent, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with Jalalgarh P.S. Case No. 50 of 2026, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

shivank/-

U		T	
---	--	---	--

