

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43090 of 2026

Arising Out of PS. Case No.-472 Year-2025 Thana- GORAUL District- Vaishali

1. Nandlal Mahto S/o Late Bindeshwar Mahto @ Bind Lal Mahto Resident of Village- Chhaurahi, Ward No. 07 Near Masjid, P.S.- Kathara (Goraul), District- Vaishali
2. Pintu Kumar S/o Nand Lal Mahto Resident of Village- Chhaurahi, Ward No. 07 Near Masjid, P.S.- Kathara (Goraul), District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Ms. Sudha, Advocate
For the State	:	Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-07-2026 Heard learned counsel appearing on behalf of the petitioners and learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 126(2), 117(2), 115(2), 109, 303(2) and 3(5) of the B.N.S..

3. As per prosecution case, on 06.08.2025 at about 9:30 PM, informant's brother was returning his home after collecting money from sale and purchase of castrated goats, in the meantime, Petitioner No. 2 deliberately hit bike of brother of informant with his bike due to which he fell on the ground. Thereafter, Petitioner No. 2 assaulted on the face of brother of informant with fighter due to which his jaw broke and Petitioner



No. 1, along with three to four other unknown accused persons, came and tried choking brother of informant with intention of killing him.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. From bare perusal of the F.I.R. it is apparent that there is absolutely no allegation of assault or any other overt act against Petitioner No. 1. Petitioner No. 1 has falsely been implicated in this case merely because he happens to be father of Petitioner No. 2. Moreover, the present F.I.R. has been lodged after inordinate delay of 8 days and there is no plausible explanation for the same which itself makes the entire prosecution case doubtful. Petitioners claim clean antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners and submitted that petitioners are named in the F.I.R. and there is specific accusation that Petitioner No. 2 assaulted on the face of brother of informant with fighter due to which his jaw broke. Doctor has found the injuries, sustained by brother of informant, grievous in nature.

6. Considering the facts and circumstances of the case, specific and direct nature of accusation and nature of



injuries sustained by the victim, the prayer for grant of anticipatory bail to Petitioner No. 2 is rejected.

7. So far as Petitioner No. 1 is concerned, considering the general and omnibus nature of accusation and clean antecedents, the prayer for grant of anticipatory bail to Petitioner No. 1 is allowed.

8. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named Petitioner No. 1 be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Vaishali at Hajipur in connection with Goraul P.S. Case No. 472 of 2025, subject to condition as laid down under Section 482(2) of the B.N.S.S..

9. With the aforesaid directions, this application stands disposed of.

(Prabhat Kumar Singh, J)

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