

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43478 of 2026

Arising Out of PS. Case No.-2 Year-2026 Thana- Salmari District- Katihar

1. Sunita Devi Wife of Jairam Mahto Resident of Village- Bandh Toli Baharkhal, Ps- Salmani Dist- Katihar.
2. Jharia Devi wife of Bechu Mahto Resident of Village- Bandh Toli Baharkhal, P.S.- Salmani Dist- Katihar.
3. Amarjit Mahto Son of Bechu Mahto Resident Of Village- Bandh Toli Baharkhal, Ps- Salmani Dist- Katihar.
4. Jairam Mahto Son of Police Mahto @ Jai Singh Resident Of Village- Bandh Toli Baharkhal, Ps- Salmani Dist- Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RANJAN KUMAR JHA
ORAL ORDER

2 14-07-2026 Heard learned counsel appearing on behalf of the petitioners and learned Additional Public Prosecutor appearing on behalf of the State.

2. The accused/petitioners apprehending their arrest in connection with Salmari P.S. Case No. 02 of 2026 registered for the offences punishable under Sections 126(2), 115(2), 109, 76, 303(2), 352, 351(2)(3) and 3(5) of BNS.

3. The allegation against the petitioners in the FIR is that while informant was at her home, in the meantime, FIR named accused persons armed with *lathis* and *iron rod* entered



into *Angan* of the informant and started abusing and assaulted her and her family members. It is alleged that Bechu Mahto threw the informant to the ground, Sonu Mahto and Amarjit Mahto assaulted the informant's brother and father with iron rods on their heads. The accused persons also allegedly committed theft from the informant's house. All the injured persons were taken to the hospital for treatment.

4. It is submitted by the learned counsel for the petitioners that the petitioners have been falsely implicated in the present case due to a long-standing dispute between the parties. The petitioners and the informant are co-villagers, and the present FIR is an exaggerated version of a minor scuffle that took place between them, in respect of which a case and a counter-case have been instituted. Out of the four petitioners, there is a specific allegation only against Amarjit Mahto, of having assaulted the father of the informant. The injuries allegedly caused by Amarjit Mahto have been found to be simple in nature, as is evident from Annexure P/2.

5. Learned APP for the State vehemently opposed the prayer of anticipatory bail.

6. Considering the rival submissions and the fact that there is a long-standing dispute between the parties, who are co-



villagers, and the injury allegedly inflicted by Amarjit Mahto is simple in nature, the matter appears to have arisen out of the existing dispute between them, accordingly, all above named petitioners, in the event of their arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned concerned Court, Katihar, where the case is pending in connection with Salmari P.S. Case No. 02 of 2026 subject to the conditions as laid down under Section 482(2) of the BNSS.

(Ranjan Kumar Jha, J)

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