

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41851 of 2026

Arising Out of PS. Case No.-169 Year-2026 Thana- SUPAUL District- Supaul

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1. Jitan Mahto @ Jitan Kumar S/O Pagal Mahto @ Paglu Mahto R/O Vill- Ekma, Ward No.- 6, P.S- Supaul, District - Supaul
 2. Anil Mahto @ Anil Kumar S/O Bhagwan Mahto R/O Vill- Ekma, Ward No.- 6, P.S- Supaul, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prasoon Kumar
For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 01-07-2026

Heard the parties.

2. The petitioners are named in the F.I.R. and apprehending their arrest in connection with Supaul P.S. Case No.169/2026 registered for the offences punishable under Sections 126(2), 115(2), 352, 351(2), 109(1), 303(3) and 3(5) of the BNS.

3. The allegation against petitioners is to assault informant and others by using axe and hockey stick causing head and bodily injuries, having intention to cause death of injured/informant, where occurrence alleged to be arises out of playing music on DJ.

4. It is submitted by learned counsel appearing on behalf of the petitioners that the allegation *qua* physical assault against petitioners is appearing very much general and omnibus in nature. It is submitted that informant/injured alleged petitioners with ornamental and aggravated allegation as same appears from the injury report of the injured as no grievous injury was found upon



Nand Kishor Mahto and Vijay Kumar as one of the alleged injured, whereas injury as alleged to be caused by Buchan Mahto and Upendra Mahto, which also upon medical examination found simple in nature and same not appears repeated, which collectively suggest that petitioners were not under intention to cause death. Petitioners claimed clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as allegation *qua* committing physical assault is appearing very much general and omnibus in nature, where injury inflicted by petitioners found simple and non-repeated prima-facie negating intention to cause death, accordingly all above-named petitioners, in the event of their arrest or surrender before the court below within a period of four weeks, are 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 CJM, Supaul/concerned Court, where the case is pending in connection with Supaul P.S. Case No.169/2026, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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