

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47770 of 2026

Arising Out of PS. Case No.-122 Year-2026 Thana- MANJHI District- Saran

Dasrath Mahto @ Dasrath Mataho S/o Prabhunath Mahato R/o Village -
Manjhi Miyapatti, P.S. - Manjhi, District - Saran(Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-07-2026 Heard learned Counsel for the petitioner and
learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioner who apprehends arrest in connection with Manjhi P.S. Case No. 122 of 2026, lodged on 06/03/2026, under Section 115(2), 126(2), 191(2), 193(3), 109, 329, 303(2), 351(1), 352(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against eight named accused persons including the present petitioner. The prosecution alleges that a complaint was initially filed, which was subsequently registered as an FIR under Section



175(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS).

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the present case is absolutely false and only lodged with a view to save the skin of the informant. He submits that the petitioner side has already lodged a case against the informant side vide Manjhi P.S Case No. 323 of 2025 dated 08/08/2025. Counsel submits that when they received information that criminal case has been lodged against them thereafter they filed the complaint case in which the recommendation for lodging the FIR was made by the Judicial Magistrate. Counsel submits that the injury report has been attached in which Doctor has categorically indicated that the injury was much earlier than the date on which occurrence took place, the injury is of 01/08/2025 whereas the alleged occurrence was taken place on 08/08/2025. Counsel submits that it is due to this reason, the said injury (Annexure-2) cannot be relied upon. Counsel submits that the criminal antecedent of the petitioner is clean and he has unnecessarily made accused in this case. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.



5. Learned APP for the State opposes the prayer for bail of the petitioner but fairly submits that the injury report is not taken place on the date the alleged occurrence took place rather it was of seven days earlier, which creates doubt on the prosecution story.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Chapra at Saran, in connection with Manjhi P.S. Case No. 122 of 2026 subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

Mkr./Anshuman/

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