

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69822 of 2025

Arising Out of PS. Case No.-76 Year-2025 Thana- Chakmesi District- Samastipur

=====

Arun Mahto @ Arun Kumar Singh S/o Sonelal Mahto R/o Village- Somnaha
Tole Maniyarpur, P.S.- Chakmehsi, District- Samastipur

.. ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy, Adv.

For the Opposite Party/s : Mr. Zainul Abedin, APP

=====

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

3 21-01-2026 Heard Mr. Dilip Kumar Roy, learned counsel for
the petitioners and Mr. Zainul Abedin, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Chakmehsi P.S. Case No. 76 of 2025 registered for the offence punishable under sections 126(2), 115(2), 74, 303(2), 109, 3(5) of the BNS on 02.06.2025 by the informant.

3. As per the prosecution case, the allegation against the petitioner is that he along with other accused persons having been armed with various weapons had gone to the informant's house and threatened them to take back the case which was filed by the informant's side. For this very reason, husband of the informant was beaten by means of *Lathi* and when the informant tried to rescue her husband, she was also assaulted on her head by means of *Pagharia*, by one Surendra Mahto and allegedly, her modesty was also outraged. Accordingly, the FIR.



4. Learned counsel for the petitioner submits that for an incident which is said to have taken place on 30.05.2025, a counter case bearing Complaint Case No. 785/2025 is said to have been registered against the informant and others. Learned counsel further submits that from the contents of the FIR, it is evident that there is nothing specific against this petitioner while allegation against him is general and omnibus in nature whereas the specific allegation of assault and disrobing the informant is against Surendra Mahto. It has next been submitted that the injuries which are said to have been received by the informant and her family members are found to be simple in nature. The petitioner has got clean antecedent.

5. On the other hand, learned APP vehemently opposes the prayer for anticipatory bail.

6. Considering the fact that there is a case and counter case between the parties, the injuries are simple in nature, there is no specific allegation of overt-act against the petitioner and the specific allegation of assault and disrobing the informant is against Surendra Mahto, this Court is inclined to extend the petitioner the privilege of anticipatory bail.

7. Let the petitioner, above named, be released on bail in the event of arrest or surrender within a period of four



weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned ***Judicial Magistrate 1st Class, Samastipur/the court concerned*** in connection with aforesaid PS Case, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his/their bail bonds.

(Ajit Kumar, J)

perwez

U			
---	--	--	--

