IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74329 of 2026

CNR No. BRHC011020782026

Arising Out of PS. Case No.-398 Year-2017 Thana- COMPLAINT CASE - PUPRI District-Sitamarhi

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1. Shiv Sharan Mahto @ Shivsharan Mahto @ Shankar Mahto @ Shiv Sharan @ Shankar Mahto S/o Ganeshi Mahto @ Ganesh Mahto R/o Village- Bihari, P.S.- Madhupur/Madhwapur, District - Madhubani
2. Ganeshi Mahto @ Ganesh Mahto S/o Ramanand Mahto R/o Village- Bihari, P.S.- Madhupur, District - Madhubani

... ... Petitioner/s

Versus

1. The State of Bihar
2. Krishna Kumari W/o Shiv Sharan Mahto @ Shankar Mahto @ Shiv Sharan @ Shiv Shankar Mahto R/o Village- Bahesh, Jahidpur Tola Balua, P.S - Nanpur, District - Sitamarhi

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Krishna Kant Singh, Adv.
For the Opposite Party/s : Mr. Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 04-11-2026 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 498A of the Indian Penal Code.

3. Learned counsel for the petitioners after some argument seeks permission to withdraw the anticipatory bail application with respect to petitioner no.1, who is husband of the informant.

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4. Permission is accorded.

5. Learned counsel for the petitioner submits that petitioner no.2 is father-in-law of the informant and is aged about 73 years and is a person with clean antecedent and he came to be implicated in the instant case by the complainant in order to coerce her husband into submission. It is next submitted that whenever any dispute arises in between the husband and the wife and the occurrence of the nature as alleged takes place, the entire family members are implicated in a mechanical manner with general and omnibus allegations. It is next submitted that no doubt since process under section 82 Cr.P.C. has been issued, as such the anticipatory bail application of the husband has been withdrawn but then the case of the petitioner no.2, who is father-in-law should be considered on a different pedestal. It is reiterated and submitted that petitioner no.2 is a senior citizen and has remained a person with clean antecedent all throughout and all of a sudden came to be implicated in the instant case.

6. Learned A.P.P. for the State opposes the anticipatory bail application of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the

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event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No.398 of 2017, subject to the conditions as laid down under Section 482 (2) of BNSS.

(Satyavrat Verma, J)

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