

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90189 of 2025

Arising Out of PS. Case No.-283 Year-2024 Thana- KHANPURA District- Samastipur

Mithlesh Mahto @ Mithlesh Kumar S/o Late Ramavtar Mahto R/o Village -
Masina, Ward No. 2, P.S - Khanpur, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh, Advocate
For the Opposite Party/s : Mr. Umanath Mishra

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 15-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 118, 109, 351(2), 352 and 3(5) of the B.N.S., 2023.

3. The allegation in the First Information Report is that on being opposed to construction being made by the accused persons in the land of the informant, the accused persons physically assaulted the informant and his family members.

4. The learned counsel for the petitioner submits at the outset that the informant and the petitioner are agnates and the F.I.R. demonstrates the fact that the dispute between the parties was due to construction being done by the petitioner with the



allegation that they were encroaching upon the informant's land. As a matter of fact, the informant and his family members were the aggressors and the F.I.R. itself was lodged after a delay of two days for which no explanation has been tendered. It is further submitted that there is a direct allegation against the petitioner of having inflicted a blow by iron rod on the head of the informant due to which he got injured. The injury sustained by him is simple in nature caused by hard and blunt substance as would be evident from the injury report (Annexure-P/2).

5. Learned APP for the State opposed the prayer for anticipatory bail on the basis of allegations made in the First Information Report.

6. Taking into consideration the facts and circumstances and considering the fact that the informant and the petitioner are agnates having dispute with regard to construction being made upon the land, coupled with the factum of simple nature of injury sustained by the informant, let the above named petitioner, who has no criminal antecedent, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



the learned Court below where the case is pending/successor Court in connection with Khanpur P.S. Case No. 283 of 2024 Judicial Magistrate-1st Class, Samastipur, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

(Soni Shrivastava, J)

anand/-

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