

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69268 of 2018**

Arising Out of PS. Case No.-222 Year-2018 Thana- DUMRAO District- Buxar *

Ramesh Mahto, Son of Ram Bilash Mahto, Resident of Village-Chanda, P.S.-
Naya Bhojpur, O.P.-District-Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Singh, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER**

3 06-03-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Dumraon P.S. Case No. 222 of 2018 registered under
Sections 341, 323, 307, 379, 387, 504, 506 and 34 of the Indian
Penal Code.

Learned counsel appearing on behalf of the petitioner
submits that petitioner has been falsely implicated in this case
due to admitted land dispute between the parties. The main
accused, namely, Suresh Mahto has been granted bail by the
court below considering that the case has been falsely lodged
due to land dispute, as evident from Annexure-2. The informant



had lodged a similar F.I.R. vide Dumraon P.S. Case No. 188 of 2018 (Annexure-3) against this petitioner and others, which shows that the informant is lodging case after case in order to harass the petitioner due to previous land dispute. As a matter of fact for apprehension of threat to his life and property, co-accused Suresh Mahto had filed Cr.W.J.C. No. 218 of 2004 before this Hon'ble Court which was disposed on vide order dated 19.01.2005 (Annexure-4). The present has been filed in retaliation of the Complaint Case No.63-c of 2017 filed by the wife of co-accused Suresh Mahto in which cognizance has already been taken. The cognizance order has been brought on record as Annexure-5. Moreover, from the injury report (Annexure-6), it appears that only abrasion was found and the injury report does not mention about the nature and time of the injuries. Except the other case lodged by the informant (Annexure-3), petitioner has no criminal antecedent.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Buxar in connection



with Dumraon P.S. Case No. 222 of 2018, subject to the
condition as laid down under Section 438(2) of the Cr.P.C.

(Arvind Srivastava, J)

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