

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3817 of 2023**

Arising Out of PS. Case No.-122 Year-2021 Thana- PAHARPUR District- East Champaran

BHUTTI MAHTO @ BHUTI MAHATO S/O LATE RAGHUNATH  
MAHATO Resident of village- Noneya Mishra Tola, P.S.- Paharpur, District-  
East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Brajesh Kumar Singh,Adv.

For the Opposite Party/s : Mr.Akhileshwar Dayal,APP.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      10-02-2023      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered  
for the offences punishable under Sections 341, 323, 324, 325,  
307, 354(B), 379, 504 and 506/34 of the Indian Penal Code.

Allegedly, petitioner along with other co-accused persons  
armed with various weapons came to the informant and  
assaulted the informant. Petitioner is said to have assaulted the  
informant's elder brother Tuntun Mahto (*Bhaisur*) by means of  
farsa.

It is submitted by learned counsel for the petitioner that  
petitioner is quite innocent and has committed no offence. No  
such occurrence as alleged ever took place. He has been falsely  
implicated in this case due to ulterior motive. Both the parties



are agnates. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is admitted land dispute between the parties. Both sides have sustained injuries. The injuries sustained by the victim are simple in nature. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as the injuries are simple in nature and there is land dispute between the parties, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Paharpur P.S. Case No. 122 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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