

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67894 of 2022

Arising Out of PS. Case No.-463 Year-2022 Thana- MAKHDUMPUR District- Jehanabad

1. AJAY MAHTO Son of Jhansi Mahto R/v- Ladaua, P.S.- Makhdumpur, District- Jehanabad
2. RAMSWAROOP MAHTO Son of Late Jagu Mahto R/v- Ladaua, P.S.- Makhdumpur, District- Jehanabad
3. SUBHASH MAHTO Son of Late Jagu Mahto R/v- Ladaua, P.S.- Makhdumpur, District- Jehanabad
4. GAURAV KUMAR Son of Subhash Mahto R/v- Ladaua, P.S.- Makhdumpur, District- Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. SARITA DEVI Wife of Rajesh Kumar R/v- Ladaua, P.S.- Makhdumpur, District- Jehanabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 24-03-2023 Heard learned counsel for the petitioner nos. 1,2 and 3 and the State.

Petitioners apprehend arrest in a case registered for the offence punishable under Sections 447, 431, 323, 325, 354, 379, 504 and 506/34 of the IPC.

The prosecution case, in brief, is that, on 19.07.2022 at about 5.00 hours, the FIR named accused persons including these petitioners armed with deadly weapon were erecting pillar on the ancestral land of the informant forcibly and when the informant protested, all the accused persons abused and assaulted as a result three persons sustained injuries.

It is submitted that admittedly there was land dispute



between the parties from which an occurrence of marpit took place in which both sides sustained injuries. Case and counter case. Injuries caused by the petitioner nos. 1,2 and 3 have been found to be simple in nature by doctor.

Learned counsel appearing for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Petitioners have got no criminal antecedent.

Considering the nature of injury and admitted land dispute between the parties, coupled with the fact that petitioner nos. 1,2 and 3 have got clean antecedent, in the event of arrest/surrender within six weeks from today, let the petitioner nos. 1,2 and 3, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM, IVth, Jehanabad in connection with Makhdumpur P.S. Case No. 463/2022 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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