

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72834 of 2023**

Arising Out of PS. Case No.-157 Year-2023 Thana- BUXAR INDUSTRIAL District- Buxar

1. Jagdayal Singh @ Jagdayal Mahto S/O Late Dukhi Mahto R/O Village-Dalsagar, P.S- Buxar(Ind.), Distt.- Buxar.
2. Daroga Mahto @ Daroga Singh S/O Late Dukhi Mahto R/O Village-Dalsagar, P.S- Buxar(Ind.), Distt.- Buxar.
3. Fuljhari Devi @ Fuljhariya Devi W/O Jagdayal Mahto R/O Village-Dalsagar, P.S- Buxar(Ind.), Distt.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Dr. Kamal Deo Sharma, Adv.  
For the Opposite Party/s : Mr.Anish Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**  
**ORAL ORDER**

2      09-11-2023                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Buxar (Ind) PS Case No. 157 of 2023, instituted for the offence punishable under Sections 147, 148, 149, 341, 323, 325, 307, 354(A), 379, 504 and 506/34 of the IPC.

3. As per prosecution case in the background of some land dispute the petitioners and other co-accused persons who were variously armed abused and assaulted the informant and his family members causing a number of injuries to them. The allegation against the petitioner No.1 is that he assaulted the



father of the informant, namely, Janardan Mahto by means of iron rod. It is alleged that petitioner No.2 and co-accused Pintu Mahto assaulted the informant and his brother, namely Ananat Hari Shankar by means of *farsha* and iron rod. Allegation against the petitioner no.3 is that she along with other accused persons after pushing the daughter-in-law of the informant entered the house of the informant and snatched ornaments worth Rs. three lakhs.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is submitted that both the parties are neighbours and there is land dispute between the parties. It is next submitted that there is case and counter case between the parties for the same occurrence. The wife of petitioner No.1 has lodged a case against the informant's father and his family members bearing Buxar (Ind.) PS Case No. 156 of 2023 registered for the offence under Sections 341,323,307, 354(B), 504 and 506/34 of the IPC, which is prior to the present case. It is submitted that both sides have received injuries. Referring to the injury report, which is annexed as Annexure P-3 series, it is submitted that doctor has examined the injured of this case and found the injury to be simple in nature. The petitioners have no criminal antecedents,



as per statement made in para 3 of the bail petition.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender before the learned Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM Buxar, in connection with Buxar (Ind) PS Case No. 157 of 2023, subject to condition as laid down under Section 438(2) of the Cr.P.C.

**(Khatim Reza, J)**

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