

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40723 of 2024

Arising Out of PS. Case No.-329 Year-2022 Thana- SHAHPUR PATORI District- Samastipur

1. Ajay Mahto @ Ajay Kumar @ Ajay Kumar Yadav Son of Late Baijnath Mahto Resident of Village - Jalalpur, P.S.- Shahpur Patory (Mohanpur O.P.), District - Samastipur
2. Ram Chandra Mahto Son of Late Jagarnath Mahto Resident of Village - Jalalpur, P.S.- Shahpur Patory (Mohanpur O.P.), District - Samastipur
3. Shambhu Mahto Son of Uday Mahto Resident of Village - Jalalpur, P.S.- Shahpur Patory (Mohanpur O.P.), District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-07-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 447, 448, 427, 354B, 379, 504, 506 of the Indian Penal Code.

3. Allegedly, all the accused persons including the petitioners are said to have assaulted the informant's side brutally with deadly weapons due to which they sustained injuries. They also tried to outrage the modesty of the informant and her daughter.



4. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence. No such occurrence as alleged has ever taken place. They have falsely been implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the parties and a title suit bearing Title Suit No. 25 of 2017 is pending between them. There is case and counter case between both the parties. The injuries sustained by the injured are simple in nature. Similarly situated co-accused has been granted anticipatory bail by this Court vide order dated 21.03.2024 in Cr. Misc. No. 3960 of 2024. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, since there is admitted land dispute between the parties and the similarly situated co-accused has been granted anticipatory bail by this Court, let the above named petitioners, be released on bail, in the event of their 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) each 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 Patory (Mohanpur O.P.) P.S. Case No. 329 of
2022, subject to the condition as laid down under Section 438
(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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