

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42828 of 2024

Arising Out of PS. Case No.-73 Year-2024 Thana- KAHALGAON District- Bhagalpur

1. Kundan Kumar Mahto @ Kundan Mahto, S/o Bishwanath Mahto, R/o Village-Janidih, P.S.-Ghogha, District-Bhagalpur
2. Jai Krishna Mahto @ Jitendra Mahto, S/o Bishwanath Mahto, R/o Village-Janidih, P.S.-Ghogha, District-Bhagalpur
3. Devendra Mahto @ Rudhal Mahto, S/o Late Satya Narayan Mahto, R/o Village-Janidih, P.S.-Ghogha, District-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 21-09-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Kahalgaon (Ghogha) P.S. Case No. 73 of 2024, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 379, 504, 506 of the Indian Penal Code.

3. As per the prosecution case, due to land dispute, ten FIR named accused persons including the petitioners armed with lathi, danda came at the house of informant and assaulted him and his son Bipin Mahto on his head due to which they sustained injuries. It is further alleged that co-accused Kundan



Kumar fired and threatened of dire consequences but no one got injury.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case due to previous land dispute. Both the parties are close relatives but due to land dispute Title Suit No. 108 of 2018, is pending between them. He further submits that in a free fight both the parties got injuries. Petitioners have one criminal antecedent in which they are on bail and the same has been filed by the informants side earlier. Petitioners undertake to cooperate in the trial of this case.

5. Learned APP opposes the prayer for anticipatory bail of the petitioners.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court where the case is pending in connection with Kahalgaon (Ghogha) P.S. Case No. 73 of 2024, subject to



the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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