

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51676 of 2024

Arising Out of PS. Case No.-85 Year-2024 Thana- WARISLIGANJ District- Nawada

1. Vibhishan Mahto, Son of Late Rohan Mahto, R/o Village-Manjaur, P.S.- Warisaliganj, District- Nawada
2. Raj Ballabh Nayan, Son of Vibhishan Mahto, R/o Village-Manjaur, P.S.- Warisaliganj, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sheo Nandan Prasad, Advocate
		Mr. Rajnish Kumar, Advocate
For the Opposite Party/s	:	Mrs. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 28-08-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Warisaliganj P.S. Case No. 85 of 2024 registered for the alleged offences under Sections 341, 323, 324, 327, 504 and 506/34 of the Indian Penal Code.

3. As per prosecution case, petitioners and other co-accused persons assaulted the family members of the informant causing a number of injuries to them. The occurrence took place in the background of measurement of the land of the parties.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. For the occurrence of same day, petitioner no.1 has



lodged Warsaliganj P.S. Case No. 81 of 2024 under Section 307 and other minor sections of IPC against the informant side as the petitioners have received a number of injuries in assault by the informant side. In retaliation thereof, the present case has been lodged. Land dispute is admitted between the parties. Learned counsel further submits that there is no injury report of the victims of informant side and both sides are agnates. The petitioners are having criminal antecedent of one case in which they are on bail.

5. Learned APP vehemently opposes the submissions made on behalf of the petitioners.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the case and counter case between the parties and also considering the background of land dispute coupled with possibility of false accusation, let the petitioners, above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, 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 C.J.M., Nawada/ court concerned in connection with Warisaliganj P.S. Case No. 85 of 2024, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the following conditions:



- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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