

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61051 of 2024

Arising Out of PS. Case No.-107 Year-2024 Thana- BIBHUTIPUR District- Samastipur

Sanjiv Kumar Mahto @ Dilkhush Son of Kari Mahto R/o Village- Singhia
Bujurg North, P.S.- Bibhutipur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 11-12-2024 1. Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 147, 148, 323, 354(B), 379,
341, 307, 504 and 506 of the Indian Penal Code and Section 27
of the Arms Act.

3. The learned counsel for the petitioner submits that
petitioner has antecedent of three cases and is in custody since
02.04.2024 and the informant alleges that the accused persons
including the petitioner, who are *agnates*, forcibly occupied her
land by constructing a boundary, further, petitioner along with
Rajiv Kumar Mahto and Mahendra Mahto dashed her on the
ground by pulling her hair and made her semi-nude, further, it is
alleged that the accused also assaulted her husband and set on



fire the crop on the land, further, Phool Kumari and Archana Kumari snatched her golden chain.

4. The learned counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that on account of dispute relating to land, the alleged occurrence is said to have taken place. It is also submitted that the allegation is general and omnibus in nature and putting the crop on fire is ornamental. It is also submitted that charge sheet has been submitted as such no useful purpose would be served by keeping the petitioner in jail.

5. Learned A.P.P. for the State opposes the prayer for regular bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) 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 Bibhutipur P.S. Case No. 107 of 2024.

7. It is made clear that if the learned Trial Court comes to a conclusion that petitioner after his release is trying to delay the trial in any manner in that event the learned Trial



Court shall be at liberty to cancel the bail bonds of the petitioner
forthwith after recording reasons.

(Satyavrat Verma, J)

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