

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59059 of 2024

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

Mahendra Mahto, son of Late Dhanik Lal Mahto Resident of village-
Belsandi tola Ps- 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.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-08-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest 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
the petitioner has antecedent of one case 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 Sanjiv Kumar 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, Fool Kumari and Archana Kumari snatched her golden chain.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. The learned counsel submits that petitioner is own brother of the husband of the informant and on account of dispute relating to land, the present occurrence is alleged to have taken place. It is also submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that the allegations are general and omnibus in nature and both sides keep filing cases against each other. It is also submitted that allegation of putting the crop on fire is ornamental as the F.I.R. has not been instituted under Section 436 of the I.P.C. and as far as Section 27 of the Arms Act is alleged, the same is ornamental.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees



Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Rosera, Samastipur in connection with Bibhutipur P. S. Case No.107 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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