

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68550 of 2023

Arising Out of PS. Case No.-130 Year-2023 Thana- BIBHUTIPUR District- Samastipur

1. NAND KISHORE MAHTO S/O LATE NARAYAN MAHTO R/O BORIYA, P.S- BIBHUTIPUR, SAMASTIPUR, BIHAR- 848211.
2. AJAY MAHTO @ AJAY KUMAR S/O NAND KISHORE MAHTO R/O BORIYA, P.S- BIBHUTIPUR, SAMASTIPUR, BIHAR- 848211.
3. ASHOK MAHTO @ ASHOK KUMAR S/O NAND KISHORE MAHTO R/O BORIYA, P.S- BIBHUTIPUR, SAMASTIPUR, BIHAR- 848211.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Kanhaiya Kishore, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 29-02-2024 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, 149, 341, 323, 325, 307, 354A, 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 several injuries.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. They



have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. There is admitted land dispute between the parties. There is case and counter case between them. Both sides have sustained grievous injuries. 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, as both sides have sustained grievous injuries, 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 lower Court where the case is pending/successor Court in connection with Bibhutipur P.S. Case No. 130 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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