

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11416 of 2025

Arising Out of PS. Case No.-300 Year-2024 Thana- MOTIHARI TOWN District- East
Champaran

1. Rohit Kumar Son of Munnilal Mahto Resident of Village - Kolhwarwa, Ward No.-05, P.S. - Motihari Town, District - East Champaran.
2. Bagar Mahto Son of Chandra Mahto Resident of Village - Kolhwarwa, Ward No.-05, P.S. - Motihari Town, District - East Champaran.
3. Gudu Mahto Son of Chandra Mahto Resident of Village - Kolhwarwa, Ward No.-05, P.S. - Motihari Town, District - East Champaran.
4. Munilal Mahto @ Munnilal Mahto Son of Chandra Mahto Resident of Village - Kolhwarwa, Ward No.-05, P.S. - Motihari Town, District - East Champaran.
5. Bagar Mahto Son of Jhhagru Mahto Resident of Village - Kolhwarwa, Ward No.-05, P.S. - Motihari Town, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-03-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Motihari Town P.S. Case No. 300 of 2024, registered for the offences punishable under Sections 341, 323, 307, 325 and 354(B)/34 of the Indian Penal Code.

3. The prosecution case in brief is that on 25.05.2024, on the day of Lok Sabha Election, when the informant objected his villagers not to sell liquor, then the accused persons including these petitioners assaulted informant with lathi and



danda. Rohit Kumar (petitioner no. 1) assaulted informant by throwing bottle on him due to which he sustained injury on his finger. When father of the informant came to save him, Guddu Mahto (petitioner no. 3) assaulted him with lathi due to which he received injury on his head, face and neck. When cousin of the informant came to rescue him, Munilal Mahto @ Munnilal Mahto assaulted him due to which he sustained injury on his head. Bagar Mahto (petitioner no. 5) also assaulted the informant brother with lathi due to which he sustained injury on his left leg.

4. Learned counsel for the petitioners submit that petitioners are innocent and have falsely been implicated in this case. There is no injury report on the record to substantiate the allegation of assault. The present case has been lodged maliciously due to political rivalry. Petitioners have clean antecedent.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the accusation and clean antecedent of the petitioners, the prayer for anticipatory bail of the petitioners are allowed.

7. Accordingly, in the event of arrest/surrender within



a period of eight weeks from today, let the petitioners above named, 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 the learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with Motihari Town P.S. Case No. 300 of 2024, subject to condition as laid down under Section 438(2) of the Indian Penal Code.

(Prabhat Kumar Singh, J)

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