

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.11638 of 2025**

Arising Out of PS. Case No.-67 Year-2024 Thana- KHANPURA District- Samastipur

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Surender Mahto @ Surendra Mahto S/O Late Lal Bahadur Mahto Resident of  
Village- Bhorejairam, P.S- Khanpur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Bijay Bhushan Prasad, Advocate

For the Opposite Party/s : Mr.Madan Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY  
ORAL ORDER**

2      21-02-2025                      Heard Mr. Bijay Bhushan Prasad, learned counsel  
  
for the petitioner and Mr. Madan Kumar, learned APP for the  
  
State.

2. The case of the prosecution is that the petitioner  
along with others entered in the house of the informant's sister  
and assaulted brother-in-law and sister of the informant with  
'sword' and 'lathi' indiscriminately. It is described in the FIR  
itself, that Kiran Devi the sister of the informant had fractured in  
her backbone and Ram Vinod Mahto had severe head injury.

3. Learned counsel appearing on behalf of the  
petitioner has submitted that petitioner is innocent and has



committed no offence. During course of argument, the learned counsel of the petitioner has submitted that the petitioner is agnate of the brother-in-law of the informant and there is admitted land dispute between the parties. It has also been submitted that both the parties have filed a compromise petition in the Court below. Further submission is that similarly situated co-accused persons have since been extended the privilege of bail vide order dated 10.12.2024 passed in Cr. Misc. No. 80853 and the petitioner of this case has no criminal antecedent.

4. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioners.

5. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Khanpur P.S. Case No. 67 of 2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) on each of them with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class cum Additional Munsif, Samastipur subject to the conditions as laid down under section



438(2) of the Cr.P.C.

**(Ashok Kumar Pandey, J)**

Jagdish/-

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