

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12340 of 2025

Arising Out of PS. Case No.-233 Year-2023 Thana- BHELDI District- Saran

Tuntun Mahto @ Rakesh Kumar @ Tuntun S/O Devlal Mahto R/O Village-
Samastpura, P.S- Bheldi, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nalin Kumar
For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-03-2025 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, 149, 341, 323, 307, 379, 354(B), 504 and
506 of the Indian Penal Code.
3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that 11 accused persons including the
petitioner are always trying to grab his land. Further, on
24.07.2023, all the accused persons intercepted him and
assaulted him by lathi and iron rod causing injury on head and
also looted Rs.8000/- and gold chain and even assaulted his wife
and outraged her modesty, who came to save her.



4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant with general and omnibus allegation of assault. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that no specific allegation is alleged against the petitioner of assaulting the informant. It is further submitted that no doubt, the injury suffered by the injured on head is opined to be grievous, but then, it does not appear probable that 11 accused persons would have assaulted the informant in the manner as alleged, in that event, more injury would have been caused to the informant. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

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 A.C.J.M.-4, Saran at Chapra in



connection with Bheldi P. S. Case No.233 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

