

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23612 of 2025

Arising Out of PS. Case No.-140 Year-2024 Thana- MANIHARI District- Katihar

1. Anandi Mahto S/o Late Batohi Mahto @ Basehi Mahto Resident of village- Lal Bathani Makhmalpur, Uttar Tola, PS- Muffasil Sahebganj, District- Katihar
2. Meghan Mahto @ Meghnath Mahto S/o Late Genalal Mahto Resident of village- Lal Bathani Makhmalpur, Uttar Tola, PS- Muffasil Sahebganj, District- Katihar
3. Rajendar Mahto S/o Late Ram Pukar Mahto Resident of village- Lal Bathani Makhmalpur, Uttar Tola, PS- Muffasil Sahebganj, District- Katihar
4. Mahesh Mahto S/o Ramu Mahto Resident of village- Lal Bathani Makhmalpur, Uttar Tola, PS- Muffasil Sahebganj, District- Katihar
5. Jawahar Mahto @ Jawahir Mahto S/o Late Bawan Mahto Resident of village- Lal Bathani Makhmalpur, Uttar Tola, PS- Muffasil Sahebganj, District- Katihar
6. Puran Mahto @ Puna Mahto S/o Bala Mahto Resident of village- Lal Bathani Makhmalpur, Uttar Tola, PS- Muffasil Sahebganj, District- Katihar
7. Bechu Mahto @ Bechan Mahto S/o Late Ghutar Mahto Resident of village- Lal Bathani Makhmalpur, Uttar Tola, PS- Muffasil Sahebganj, District- Katihar
8. Sanjay Mahto S/o Late Ramashish Mahto Resident of village- Lal Bathani Makhmalpur, Uttar Tola, PS- Muffasil Sahebganj, District- Katihar
9. Binay Mahto @ Binod Mahto S/o Basudev Mahto Resident of village- Lal Bathani Makhmalpur, Uttar Tola, PS- Muffasil Sahebganj, District- Katihar
10. Jayprakash Mahto S/o Late Bawan Mahto Resident of village- Lal Bathani Makhmalpur, Uttar Tola, PS- Muffasil Sahebganj, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Advocate
For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 30-04-2025 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in



connection with Manihari P.S. Case No. 140 of 2024 registered on 22.06.2024 for the offences punishable under Sections of the Indian Penal Code.

3. As per the prosecution, the F.I.R. has been lodged against twenty named accused persons. The specific allegation in the F.I.R. is against Hriday Mahto, who is said to have assaulted the informant on his head, and co-accused Ram Haigar Mahto, who allegedly assaulted other members of the informant's side, resulting in injuries.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. It is contended that the allegations against the petitioners are general and omnibus in nature, and they have merely been described as members of the mob. There is no specific act or overt act attributed to them in the F.I.R. Learned counsel further submits that both the petitioners and the informant belong to the same village, and the present incident arose out of a land possession dispute, during which a scuffle broke out. It is submitted that for the same date and place of occurrence, both sides have lodged F.I.Rs, the petitioners' side has lodged Manihari P.S. Case No. 414 of 2024, whereas the informant's side has lodged the present case, being Manihari P.S. Case No. 140 of 2024. It is



further submitted that the persons against whom specific allegations have been made are not petitioners in the present application. The antecedents of the petitioners are stated to be clean.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. In the aforesaid facts and circumstances, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Katihar, in connection with Manihari P.S. Case No. 140 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J)

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