

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36160 of 2025

Arising Out of PS. Case No.-279 Year-2024 Thana- MEDNI CHAUKI District- Lakhisarai

Anil Mahto S/o Late Suraj Narayan Mahto Resident of Village- Khawa, P.S.-
Mednichowki, Distt.-Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghaw Kumar

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 18-06-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Mednichowki Police Station Case No. 279 of 2024, dated 15.12.2024, disclosing offences punishable under Sections 191(2)/191(3)/190/126(2)/115(2)/117(2)/109(1)/303(2)/352/351 (2)/74 of the Bhartiya Nyaya Sanhita, 2023.
3. The prosecution case, as per the First Information Report, is that on 15.12.2024, in the wee hours, while the informant's sister-in-law was cleaning near the door, the petitioner, along with other accused persons, total six in numbers, arrived and started abusing. When objected by the informant and other family members, the accused



persons, armed with deadly weapons, started assaulting the informant and other family members. The accused persons also entered into the house of the informant and they tried to outrage the modesty of the female members in the house and they also took away cash of Rs. 20,000/- and gold ornaments.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to previous land dispute between the parties. Both the parties are agnates. There is case and counter case between the parties and the case lodged by the side of the petitioner is prior in time, bearing Mednichowki Police Station Case No. 278 of 2024. He further submits that no specific overt act has been alleged against the petitioner and the specific allegation of assault is against co-accused Bibhuti Baibhav, Vivek Kumar and Karan Kumar. The injuries sustained by the informant are simple as well as grievous in nature; whereas the petitioner himself has sustained grievous injury attributable to the informant's side.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that



there is previous land dispute between the parties having case and counter case, the case lodged by the petitioner is prior in time and the petitioner has also sustained grievous injury, I am inclined to grant the petitioner privilege of anticipatory bail.

- 6. This application is, accordingly, allowed.
- 7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Lakhisarai, in connection with Mednichowki Police Station Case No. 279 of 2024, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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