

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48836 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- BAUGHAT District- Sheikhpura

1. Rajesh Mahto @ Rakesh Kumar S/o Joga Mahto @ Joginder Mahto R/o vill - Koyala, P.S. - Baughat, Distt.- Sheikhpura
2. Nitish Kumar S/o Joga Mahto @ Joginder Mahto R/o vill - Koyala, P.S. - Baughat, Distt.- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioners and learned
APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Boughat P.S. Case No. 26 of 2025 for the offences punishable under Sections 115(2)/126(2)/352/351(2)/3(5) of the BNS.

3. As per the First Information Report, the informant's husband is having two brothers one is Late Joga Mahto and the other Police Mahto, husband of the informant. The property was to be divided equally between both the brothers but the petitioners, who are the sons of Late Joga Mahto, along with other accused persons constructed a house in some of the



portions falling in the share of the informant's husband. It is further alleged that when the informant's side raised objection, these petitioners along with other started abusing and assaulted the informant and her other family members.

4. Learned counsel for the petitioner submits that both the parties are agnates and co-sharers of the property. He next submits that admittedly there is land dispute between the parties and on account of the same, some scuffle took place in which both the parties sustained injuries. He further submits that the present F.I.R. has been lodged as a counter blast to the F.I.R. lodged by the side of the petitioners bearing Boughat P.S. Case No. 25 of 2025 against the informant and others. Injuries sustained by the injured persons are simple in nature as is evident from the impugned order itself. Petitioners have clean antecedent.

5. Learned Additional Public Prosecutor appearing on behalf of the State has vehemently opposed the prayer for bail.

6. Regards being had to the submissions made by the parties and taking into consideration the fact that both the parties are agnates and there is land dispute between them and the injuries sustained by the injured is simple in nature, I am inclined to grant anticipatory bail to these petitioners.



7. In view of the above, let the petitioners in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Sheikhpura, in connection with Boughat P.S. Case No. 26 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023.

(Anil Kumar Sinha, J)

Saif/-

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

