

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49933 of 2025

Arising Out of PS. Case No.-343 Year-2024 Thana- SURYAGARHA District- Lakhisarai

Sohan Mahto @ Sohan Mahton S/o Parmeshwar Mahto @ Parmeshwar Mahton R/o Village- Khalikpur, Surajpura, P.S.- Surajgarha, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-08-2025 Heard the learned Advocate for the petitioner and the learned APP for the State.

2. The petitioner apprehends his arrest in connection with Surajgarha P.S. Case No. 343 of 2024, registered for the offences punishable under Sections 308(3), 324(2), 351(2) and 3(5) of the B.N.S.

3. In the fateful night of 23.12.2024, while the informant along with his brother Ashutosh Kumar Sinha had gone to see his crops in the field, in the meanwhile, they saw that the petitioner along with co-accused Gopal Mahto were sprinkling poisonous substance in the crops of the informant and when it was protested, the petitioner along with accused persons pulled out the pistol and demanded Rs. 50,000/- as extortion



money with dire consequences.

4. Learned Advocate for the petitioner contended that both the parties are co-villagers and there is a land dispute between them. The brother of the petitioner has also filed a Jamabandi case before the Additional Collector, Lakhisarai bearing Case No. 57 of 2024-2025 against the informant and others on 05.08.2024, with respect to same land. It has further been submitted that during the course of investigation, it has not come that the substance which has been allegedly sprinkled over the crops of the informant was poisonous. Moreover, there are other cases, which have been instituted by the mother of the petitioner against the informant and his relative.

5. On the other hand, learned counsel for the State and the informant opposed the pre-arrest bail application and taking this Court through the paragraph no. 3 of the bail application have submitted that the petitioners is facing six criminal antecedent over his head.

6. At this juncture, learned Advocate for the petitioner submitted that all the FIR's have been instituted by the informant or his family members.

7. Considering the submissions set-forth by learned Advocate for the respective parties and taking note of the nature



of allegation and the genesis of the occurrence, as also the long standing dispute with respect to the land, in question; moreover, the criminal antecedent of a person cannot be a sole ground to deny the benefit of anticipatory bail. In view, thereof, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Lakhisarai in connection with Surajgarha P.S. Case No. 343 of 2024, subject to the conditions laid down in Section 482(2) Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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