

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50313 of 2025

Arising Out of PS. Case No.-16 Year-2025 Thana- SURYAGARHA District- Lakhisarai

1. Gopal Mahto S/o- Parmeshwar Mahto R/village - Khalikpur, Surajpura, P.S - Surajgarha, Dist. - Lakhisarai
2. Sohan Mahto S/o- Parmeshwar Mahto R/village - Khalikpur, Surajpura, P.S - Surajgarha, Dist. - Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

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

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

2. This is the first bail application for grant of anticipatory bail of the petitioners apprehending his arrest in connection with Surajgarh P.S. Case No. 16 of 2025 registered for the offence under Sections 126(2), 115(2), 308(3), 109(1), 324(4) and 324(5) of the Bharatiya Nyaya Sanhita.

3. According to the case of prosecution, it is alleged that on 14.01.2025 at about 06:00 A.M., the present petitioners applicants went to the field of the complainant and they destroyed the crops of the field, when the complainant tried to stop them allegedly the applicants assaulted him, due to that he



sustained injuries on his thigh and other parts of the body. On the basis of report lodged by the complainant, the offence has been registered.

4. It is submitted by the learned counsel for the petitioners that petitioners are innocent and have falsely been implicated in the present case due to land dispute with the complainant. It is further submitted that the injury sustained by the complainant is of simple in nature. Therefore, *prime facie*, no offence under section 109(1) of BNS is made out against the petitioners. Thus, on these grounds, it is prayed by the counsel that the petitioners may be granted benefit of anticipatory bail.

5. Learned counsel for the informant opposes the arguments raised by the counsel for the petitioners and submits that as there are six criminal antecedents of the present applicants, on this ground alone the petition of the petitioners is liable to be dismissed. The State counsel also opposes the arguments raised by the counsel for the petitioners.

6. Heard.

7. Perused the records and other materials available on record.

8. Considering the submissions made by the counsel for the petitioners and particularly considering the injuries



sustained by the complainants, I am of the view that it is a fit case where the petitioners should be granted benefit of anticipatory bail.

9. Accordingly, the application is allowed.

10. Let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of C.J.M., Lakhisasrai in connection with Surajgarha P.S. Case No. 16 of 2025, subject to the condition as laid down under Section 482(2) of B.N.S.S. 2023.

(Arvind Singh Chandel , J)

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