

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55752 of 2025

Arising Out of PS. Case No.-347 Year-2024 Thana- PAHARPUR District- East Champaran

Surendra Mahto, Male, aged about 55 years, son of Late Asharfi Mahto,
resident of Village- Bhaja Chhapra, P.S.- Paharpur, District- East Champaran
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with
Paharpur PS Case No.347 of 2024 dated 23.07.2024, instituted
for the offence punishable under Sections 126(2), 115(2),
118(1), 118(2), 109, 303(2), 352, 3(5) of the *Bharatiya Nyaya
Sanhita*, 2023.

3. There is allegation that the petitioner and others
started constructing hut in order to obstruct the entry from the
road side and when the same was protested by the informant,
scuffle took place between the parties. Specific allegation
against the petitioner is that he assaulted Gopal Mahto by means
of iron rod causing fracture injury in his hand.

4. Learned counsel for the petitioner submits that both



sides are agnates and there is case and counter case between the parties. The occurrence took place due to land between the parties. In the scuffle, both sides have sustained injuries. Further submission is that in the impugned order itself it is mentioned that the injured, Goapl Mahto, sustained (i) pain with swelling on left forearm size 2" x 2", (ii) pain with swelling on right forearm size 2" x 2", (iii) abrasion on left foot, (iv) pain in neck, X-ray report shows fracture distal ends of radius left and the nature of injury is grievous caused by hard and blunt substance. Further submission is that all the injuries are on non-vital parts of the body. Lastly, it is submitted that the petitioner is in custody since 23.03.2025 having clean antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the CJM, East Champaran, Motihari, in Paharpur PS Case No.347 of 2024.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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