

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55731 of 2025

Arising Out of PS. Case No.-156 Year-2025 Thana- SURYAGARHA District- Lakhisarai

1. Ghano Mahto S/O Late Bano Mahto @ Bonu Mahto R/O Village- Jakarpura behind block office, P.S.- Surajgarh, District- Lakhisarai
2. Ranjeet Mahto S/O Late Bano Mahto @ Bonu Mahto R/O Village- Jakarpura behind block office, P.S.- Surajgarh, District- Lakhisarai
3. Mahesh Mahto S/O Late Bano Mahto @ Bonu Mahto R/O Village- Jakarpura behind block office, P.S.- Surajgarh, District- Lakhisarai
4. Chintu Mahto S/O Sri Ghano Mahto R/O Village- Jakarpura behind block office, P.S.- Surajgarh, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrit Abhijat

For the Opposite Party/s : Mr.Sharda Kumari

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 17-09-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. At the very outset, learned counsel for the petitioners submits that during penency of this application, petitioner Nos. 2 & 4 namely Ranjeet Mahto and Chintu Mahto have been arrested and so, this petition with respect of them has become infructuous.

3. Accordingly, this application stands dismissed as withdrawn with respect to the petitioner Nos. 2 & 4 only.

4. The petitioner Nos. 1 & 3 are apprehending their arrest



in Surajgarha P.S. Case No. 156 of 2025 registered under Sections-126(2), 115(2), 329(4), 109(1), 352, 74, 303(2) and 3(5) BNS, 2023.

3. Allegedly, the occurrence took place in the backdrop of land dispute. It is alleged that one Pintu Mahto was constructing the wall adjacent to the wall of the informant, which was protested by the informant and consequently, the accused persons having armed with Lathi and iron rod are said to have entered into house of the informant and Chintu Mahto assaulted the informant causing head injury. When the sons of the informant came to rescue, they were also assaulted.

4. It has been submitted on behalf of the petitioner Nos. 1 & 3 that There is case and counter case between the parties. The specific allegation against the petitioner No. 3 is that he assaulted son of the informant. The injuries suffered by son of the informant are simple in nature. So far the allegation against the petitioner No. 1 is concerned, he snatched ear ring of informant's wife. The petitioner Nos. 1 & 3 are the persons of clean antecedent.

5. On the otherhand, learned counsel for the informant has submitted that son of the informant has suffered head injury.

6. There is case and counter case between the parties.



The injuries suffered by son of the informant are simple in nature and the petitioners are the persons of clean antecedent.

7. Considering the aforesaid facts and circumstances, let the petitioner Nos. 1 & 3, above named, in the event of arrest/surrender before the learned court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Surajgarha P.S. Case No. 156 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Nawneet Kumar Pandey, J)

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