

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55847 of 2025

Arising Out of PS. Case No.-136 Year-2024 Thana- CHIRAIYA District- East Champaran

Lavkush Mahto @ Lavkush Kumar S/O Asarfi Mahto Resident of Village-
Madhubani, Police Station- Chiraiya, District- East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has earlier moved before a Co-
ordinate Bench of this Court with a prayer for anticipatory bail
which was rejected vide order dated 17.03.2025 passed in Cr.
Misc. No. 64911 of 2024.

3. The petitioner seeks bail in connection with
Chiraiya P.S. Case No. 136 of 2024 instituted for the
offences under Sections 341, 307, 379, 504/34 of the Indian
Penal Code.

4. As per prosecution case, the allegation against the
petitioner is of assaulting the Informant on his head by means



of iron rod causing injury.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. There is an admitted land dispute between the parties. He further submits that from the impugned order, it appears that there is no repeated below found upon the body of the person and, hence, Section 307 of the I.P.C. is not attracted. The petitioner has no criminal antecedent and is languishing in judicial custody since 27.04.2025 without any rhymes or reason. Charge-sheet has been submitted in this case and the cognizance has also been taken under Sections 341, 323, 307, 504, 506/34 of the I.P.C.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent,



let the petitioner, abovenamed, be released on bail on
furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with
two sureties of the like amount each to the satisfaction of
Court below/concerned Court in connection with Chiraiya P.S.
Case No. 136 of 2024.

(Rudra Prakash Mishra, J)

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