

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61188 of 2025

Arising Out of PS. Case No.-56 Year-2025 Thana- BIBHUTIPUR District- Samastipur

1. Arjun Kumar @ Diwani, aged about 25 years, male, S/o- Ramesh Mahto resident of Village- Ekdara, P.S-Bibhutipur Dist- Samastipur
2. Heera Devi, aged about 45 years, female, W/o- Ramesh Mahto, resident of Village- Ekdara P.S-Bibhutipur, Dist- Samastipur
3. Ramesh Mahto, aged about 50 years, male, S/o- Late Bulaki Mahto, resident of Village- Ekdara, P.S-Bibhutipur, Dist- Samastipur
4. Shivam Kumar @ Chhotku, aged about 20 years, male, S/o- Ramesh Mahto, resident of Village- Ekdara, P.S-Bibhutipur, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate
For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 15-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 126(2), 115(2), 118(1), 109, 76, 303(2) read with 3(5) of the BNS, 2023.

3. As per allegation in the FIR, it is a case of assault by means of sharp cut edge as also iron rod upon the informant and his family members by the petitioners.

4. Learned counsel for the petitioner submits that petitioners have falsely been implicated in this case. He next submits that the date of occurrence is 06.02.2025 and the FIR is lodged on 10.02.2025, after a delay of four days but no



sufficient reason has been explained by the prosecution. He next submits that from perusal of the impugned order, it appears that no grievous injury caused either to the informant or her grandson and there is no case under Section 109 is made out against the petitioners as stated in para-6 of the petition. He next submits that petitioners have got clean antecedent.

5. Learned APP for the State opposes the prayer for anticipatory bail of the petitioners.

6. In view of the aforesaid facts and circumstances of the case as well as the fact that there is land dispute between the parties, let the above named four petitioners be released on anticipatory bail, in the event of their arrest or surrender before the court below within a period of six 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 learned SDJM, Rosera, Samastipur in connection with Bibhutipur P.S. Case No. 56 of 2025, subject to the conditions as laid down under Section 482(2) of the Cr.P.C.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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