

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66443 of 2025

Arising Out of PS. Case No.-223 Year-2025 Thana- CHIRAIYA District- East Champaran

1. Asharfi Mahto @ Asarfi Mahto Son of Late Sukul Mahto @ Shukul Mahto R/o Village - Semra, P.S - Chiraiya, District - East Champaran at Motihari, Bihar
2. Rajesh Mahto Son of Late Saudagar Mahto R/o Village - Semra, P.S - Chiraiya, District - East Champaran at Motihari, Bihar
3. Yogi Mahto Son of Late Sukul Mahto @ Shukul Mahto R/o Village - Semra, P.S - Chiraiya, District - East Champaran at Motihari, Bihar
4. Devendra Mahto Son of Ashrafi Mahto R/o Village - Semra, P.S - Chiraiya, District - East Champaran at Motihari, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Kush, Advocate
For the State	:	Mr. Aditya Narayan Singh 1, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 14-10-2025 Heard learned counsel appearing on behalf of the petitioners and learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 126(2), 119(1), 303(2), 352, 351(2), 308(3) and 3(5) of the B.N.S..

3. As per prosecution case, it is alleged that in order to grab the land of informant, on 26.05.2025 at about 9 PM, all these accused petitioner, along with 20 to 25 unidentified persons, came to the ancestral property of informant and abused and assaulted informant and others and also removed the



bamboo poles fixed on the land.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. As a matter of fact, due to old land dispute between the parties for which a proceeding under Section 145 of the Cr.P.C. is going on before the Court of learned S.D.M. vide Case No. 1177M of 2015, a simple maar-peet took place between the parties in which both sides sustained injuries. Allegation of assault is general and omnibus and no specific accusation of overt act has been alleged against these petitioners. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like



amount each to the satisfaction of learned S.D.J.M., Dhaka, East
Champan in connection with Chiraiya P.S. Case No. 223 of
2025, subject to condition as laid down under Section 482(2) of
the B.N.S.S..

(Prabhat Kumar Singh, J)

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