

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65306 of 2025

Arising Out of PS. Case No.-534 Year-2023 Thana- BAKHTIYARPUR District- Patna

1. Sibu Kumar @ Shivnath Mahto S/o Madhu Sudan Bind @ Madhu Sudan Mahto R/O- Village- Lakhimpur, Karauta, P.S- Salimpur, District- Patna
2. Madu Sudan Bind @ Madhu Sudan Mahto S/o Ram Ekwat Mahto R/O- Village- Lakhimpur, Karauta, P.S- Salimpur, District- Patna
3. Pakaudi Kumar @ Amarnath Kumar S/o Madhu Sudan Bind @ Madhu Sudan Mahto R/O- Village- Lakhimpur, Karauta, P.S- Salimpur, District- Patna
4. Dinanath Mahto @ Dinanath Bind S/o Madhu Sudan Bind @ Madhusudan Mahto R/O- Village- Lakhimpur, Karauta, P.S- Salimpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anuj Kumar, Advocate Ms. Eashita Raj, Advocate Ms. Sakshi Bhatnagar, Advocate Mr. Aditya Raj Singh, Advocate Mr. Anshul Aaryan, Advocate
For the Opposite Party/s	:	Mr. Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-09-2025

1. Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of anticipatory bail apprehending their arrest in connection with Bakhtiyarpur P.S. Case no.534 of 2023 registered under sections 307, 341, 323, 325, 504, 506 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that over a dispute relating to letting out of the agricultural land, five named accused persons including the four petitioners herein



came and started to abuse and assault the informant and others. It is further stated that the petitioner no.1 assaulted the informant on his head with a country made pistol causing serious injuries.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case over a trivial dispute as is evident from the contents of the F.I.R. itself. Besides the petitioner no.1 the allegations against others are general and omnibus in nature. So far as petitioner no.1 is concerned no independent witness has supported the prosecution case nor is there allegation of any firing. It is for this reason that the F.I.R. has not been registered under the Arms Act. The petitioners have no criminal antecedent and undertake to cooperate in the investigation.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation of assault by Sibu Kumar @ Shivrath Mahto with a country made pistol on the head of the informant together with the corresponding injury having been found in the nature of multiple fracture of right temporal bone etc. which in the opinion of the doctor is grievous



in nature, the Court is not inclined to enlarge the petitioner no.1 (Sibu Kumar @ Shivnath Mahto) on anticipatory bail and the application is rejected.

7. The petitioner no.1 (Sibu Kumar @ Shivnath Mahto) is directed to surrender in the learned Court below within a period of four weeks.

8. In the facts and circumstances of the case and the allegations against the others being general and omnibus in nature, it is directed that petitioner no.2 (Madu Sudan Bind @ Madhu Sudan Mahto), petitioner no.3 (Pakaudi Kumar @ Amarnath Kumar) and petitioner no.4 (Dinanath Mahto @ Dinanath Bind) in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Bakhtiyarpur P.S. Case no.534 of 2023 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Barh, Patna.

(Partha Sarthy, J)

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