

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79163 of 2025

Arising Out of PS. Case No.-296 Year-2025 Thana- DORIGANJ District- Saran

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1. Prem Kumar @ Ashar Mahto @ Anshu Mahto @ Aashu Mahto Son of Jairam Mahto Resident of Village - Kazipur, P.S.- Doriganj, District - Saran.
 2. Mantoo Mahto Son of Madho Mahto Resident of Village - Kazipur, P.S.- Doriganj, District - Saran.
 3. Sunny Kumar @ Sunny Mahto Son of Madho Mahto Resident of Village - Kazipur, P.S.- Doriganj, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 16-12-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Doriganj P.S. Case No. 296 of 2025 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 109, 352, 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. On the fateful day, while the informant was at his house, in the meanwhile, altogether seven named accused persons, including the petitioners, entered into the house of the informant and brutally assaulted. It is specifically alleged that co-accused Suraj Mahto, Udho Mahto, Deepak Kumar and Dinesh Mahto have assaulted the informant and others by means



of *Lathi, Danda* and knife, due to which they sustained injury.

4. Learned Advocate for the petitioners referring to the F.I.R. contended that the petitioners are though named in the F.I.R., but they are not the assailant and no injury has been attributed against them. So far the injury, which is allegedly sustained to the informant and found to be grievous in nature is concerned, the same has been attributed against other co-accused persons. Moreover, the genesis of the occurrence is nothing, but a land dispute and there is a counter version of the present case, being Doriganj P.S. Case No. 295 of 2025, instituted by petitioner no.1 against the informant and others. The petitioners are having fair antecedent and they undertake that they will fully cooperate in the proceeding of the court.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that on account of active participation of the petitioners, the informant and others have sustained serious injuries and one of the injury has been found to be grievous in nature.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the nature of accusation levelled against the petitioners, coupled with their fair antecedent as well as factum of case and



counter case, let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Saran at Chapra in connection with Doriganj P.S. Case No. 296 of 2025, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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