

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78499 of 2025

Arising Out of PS. Case No.-101 Year-2025 Thana- DARIGAON District- Rohtas

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1. Santosh Mahto @ Santosh Singh S/O Ramjee Mahto R/O Village- Beda, P.S- Sasaram (Muffasil), Distt.- Rohtas.
 2. Birendra Kumar Dubey @ Birendra Dubey S/O Late Vishwanath Dubey R/O Village- Agini, P.S- Darigaon, Distt.- Rohtas.
 3. Ram Kumar Dubey S/O Uday Shankar Dubey R/O Village- Agini, P.S- Darigaon, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Adv.
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 03-12-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 310(2) of the BNS, 2023.
3. Learned counsel for the petitioners submits that petitioner nos. 1 and 3 have antecedent of one case and petitioner no. 2 has antecedent of two cases and the informant alleges that accused persons are looting his crop for the last four years despite the land in dispute being adjudicated in his share.
4. Learned counsel for the petitioners submits that



petitioners have been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that on account of dispute relating to land, the occurrence is alleged to have taken place. It is further submitted that it is the informant who is trying to usurp the property of the petitioners and thus a false case came to be instituted in order to coerce the petitioners into submission. It is next submitted that petitioners will not abscond rather will cooperate in the investigation to prove their innocence. It is also submitted that the FIR records that petitioners have been looting his crop for the last four years, but then the case has been instituted after a great delay.

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

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory 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 the learned trial court where the case is pending/successor court in connection with Darigaon



P.S. Case No. 101 of 2025 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioners despite giving assurance to this Court are not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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