

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5402 of 2025**

Arising Out of PS. Case No.-58 Year-2022 Thana- LAURIA District- West Champaran

1. Jitendra Kumar @ Jitendra Mahto S/o- Daroga Mahto R/o- Mishra Total Ps- District- West Champaran
2. Vikash Kumar @ Bikki Mahto S/o- Arjun Mahto R/o- Mishra Total Ps- District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Umesh Kumar Gupta  
For the Opposite Party/s : Mr.Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      03-04-2025                      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 offence under Sections 120(b), 342, 436, 406 386 and 34 of the Indian Penal Code.

3. It is alleged that these petitioners alongwith one co-accused set the house of the informant on fire.

4. Learned counsel for the petitioners submits that there is general and omnibus allegation against all the accused persons including petitioners and no specific allegation of overt act has been alleged against these petitioners. He further submits that after thorough investigation, police submitted final form on 26.04.2022 and petitioners were not sent up for trial, however differing with final form, submitted by the police, the



learned Court below took cognizance against all the three accused persons. As a matter of fact, a partition suit i.e. Partition Suit No. 249 of 2006 is pending between the parties in the Court of learned Sub Judge, Bettiah, West Champaran and only with a view to put pressure on petitioners' side, this false and concocted case has been lodged.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah in connection with Lauriya P.S. Case No. 58 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Singh, J)**

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