

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6395 of 2026

Arising Out of PS. Case No.-167 Year-2023 Thana- KESARIA District- East Champaran

1. Mahangu Mahto, S/o Late Ram Dayal Mahato R/o Village - Kesariya Ward No. 08, P.S - Kesariya, District - East Champaran
2. Manoj Mahto, S/o Mahangu Mahto R/o Village - Kesariya Ward No. 08, P.S - Kesariya, District - East Champaran
3. Sanoj Mahto, S/o Mahangu Mahto R/o Village - Kesariya Ward No. 08, P.S - Kesariya, District - East Champaran
4. Jitendra Mahto, S/o Mahangu Mahto R/o Village - Kesariya Ward No. 08, P.S - Kesariya, District - East Champaran
5. Lalka Mahto @ Pradeep Mahto, S/o Mahangu Mahto R/o Village - Kesariya Ward No. 08, P.S - Kesariya, District - East Champaran
6. Golu Mahto @ Deepak Kumar, S/o Mahangu Mahto R/o Village - Kesariya Ward No. 08, P.S - Kesariya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

2 04-02-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection
with Kesariya P.S. Case No.167 of 2023 registered for the



offences under Sections 341, 323, 436, 504, 506, 34 of the Indian Penal Code.

3. The allegation against the petitioners is that they have lit the house of the informant on fire, in which Rs.10,000/- cash along with clothes ornaments and goats were burned.

4. Learned counsel for the petitioners submits that the petitioners have falsely been implicated on account of a land dispute between the parties. It has been admitted by the learned counsel for the petitioners that the case was of the year 2023, however, on account of a compromise entered between the parties, they did not move the Court below under misconception. It has next been submitted that from the compromise petition it would be evident that the petitioners and the informant are agnates and good sense has prevailed and the parties have compromised on the issue. It has lastly been submitted that the petitioners have clean antecedents.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioners above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below



within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Kesariya P.S. Case No.167 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioners shall be their close relative.

(ii) The petitioners shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of their bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the prayer for anticipatory bail is



allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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