

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10764 of 2026

Arising Out of PS. Case No.-230 Year-2025 Thana- MOTIPUR District- Muzaffarpur

1. Shyam Sundar Kumar Son of Laldev Mahto R/o Boariya North, P.O. and P.S.- Motipur, District - Muzaffarpur, State - Bihar.
2. Hardev Mahto Wife of Late Jangali Mahto R/o Boariya North, P.O. and P.S.- Motipur, District - Muzaffarpur, State - Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 23-04-2026 Heard Mr. Abhigyan Kumar, learned counsel

appearing on behalf of the petitioners and Mr. Dilip Kumar No.

1, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection
with Motipur P.S. Case No. 230 of 2025 registered under
Sections 191(2), 329(3), 126(2), 115(2), 118(1), 351(2), 352, 303(2),
3(5) of the Bharatiya Nyaya Sanhita (BNS), 2023.

3. As per the allegation made in the FIR, the accused
persons, including the petitioners, armed with deadly weapons,
allegedly came to the informant's house, abused and assaulted
him and his family members causing injuries, and further
trespassed into the house to commit loot of cash and jewellery



while issuing threats, leading to institution of the FIR.

4. Learned counsel appearing on behalf of petitioners submitted that the petitioners are innocent and they have falsely been implicated in the present case. Learned counsel submitted that there is case and counter case between the parties and the present case is a counterblast to Motipur P.S. Case No. 218 of 2025 (Annexure P/2). The allegations are general and omnibus in nature. The present case is arising out of a land dispute. The petitioners have clean antecedents. On these grounds, the petitioners seek to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Having heard the rival submissions made on behalf of the parties and upon perusal of the materials on record, it appears that there is a case and counter-case between the parties and the present case is a counterblast to Motipur P.S. Case No. 218 of 2025. The allegations against the petitioners are general and omnibus in nature and the dispute appears to arise out of a land dispute. Considering the clean antecedents of the petitioners, I am of the opinion that the petitioners have, *prima facie*, made out a case for grant of pre-arrest bail.

7. The learned District Court is directed to release the



petitioners on anticipatory bail, in the event of their arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned District Court where the case is pending in connection with Motipur P.S. Case No. 230 of 2025 , subject to the condition as laid down under Section 482(2) of the B.N.S.S.

8. The learned District Court is directed to verify the criminal antecedent of the petitioners, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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