

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23878 of 2026

Arising Out of PS. Case No.-175 Year-2018 Thana- PAHARPUR District- East Champaran

1. Lalan Mahto, Son of Sakal Devo Mahto,
2. Sudish Mahto, Son of Sakal Devo Mahto,
3. Amar Mahto, Son of Sakal Devo Mahto
4. Sonu Mahato @ Sonelal Mahto @ Sonalal Mahto, Son of Sakal Devo Mahto
All are residents of village- Ganga Pipra, P.S. - Pahadpur, Dist. - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvesh Kashyap, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 24-04-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Paharpur P.S. Case No. 175 of 2018 registered under Sections 341, 323, 324, 307, 379 and 504 of the Indian Penal Code.

3. As per prosecution case, the petitioners and other co-accused persons abused and assaulted the informant by means of *farsa*, iron rod, fists and slaps. The allegation against the petitioner no.1 is of abusing the informant and of giving orders to kill the informant. The allegation against the petitioner no. 2 is of catching hold the informant. The allegation against



the petitioner no. 3 is of assaulting the informant with fists and slaps. The allegation against the petitioner no. 4 is of assaulting the informant with iron rod.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case due to land dispute. No such occurrence as alleged in the FIR has ever taken place. Although there is allegation of assault by means of *farsa*, but the injury caused to the informant was found to be simple in nature. The learned counsel further submits that the police submitted closure report against the petitioners after investigation, but the learned Magistrate took cognizance against all the accused persons including the petitioners under Sections 341, 323, 307/34 of the Indian Penal Code. The learned counsel further submits that the specific allegation of giving *farsa* blow is against the co-accused Sakal Dev Mahto, who has been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 08.01.2019 passed in Cr. Misc. No. 78339 of 2018 and the case of the petitioners is on better footing. The petitioners are having clean antecedent.

5. Learned APP vehemently opposes the submission made on behalf of the petitioners.



6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the doubtful nature of allegation against the petitioners and further considering the possibility of false implication and also considering the clean antecedents of the petitioners, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Paharpur P.S. Case No. 175 of 2018, subject to the condition as laid down under Section 482(2) of the BNSS, 2023 and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the below, if so required by the learned trial court.

(Arun Kumar Jha, J)

V.K.Pandey/-

U		T	
---	--	---	--

