

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42394 of 2026

Arising Out of PS. Case No.-246 Year-2024 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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1. Mukesh Kumar S/o Vindeshwar Mahto @ Vndeshwar Mahto Resident of village- Ranjitpur, PS- Khanpur, District- Samastipur
 2. Rakesh Kumar S/o Vindeshwar Mahto @ Vndeshwar Mahto Resident of village- Ranjitpur, PS- Khanpur, District- Samastipur
 3. Rambha Kumari @ Smt. Rambha Kumari W/o Mukesh Kumar Resident of village- Ranjitpur, PS- Khanpur, District- Samastipur
 4. Rupam Kumari @ Smt Rupam Kumari W/o Rakesh Kumar Resident of village- Ranjitpur, PS- Khanpur, District- Samastipur
 5. Manoj Kumar S/o Manu Mahto Resident of village- Ranjitpur, PS- Khanpur, District- Samastipur
 6. Amarjeet Kumar S/o Raja Ram Mahto Resident of village- Ranjitpur, PS- Khanpur, District- Samastipur
 7. Radheshyam Mahto S/o Late Ramchandra Mahto Resident of village- Ranjitpur, PS- Khanpur, District- Samastipur
 8. Visheshwar Sahni S/o Late Makhan Sahni R/o vill - Darsur, P.S.- Warisnagar, Distt.- Samastipur, Lecence no. 192 of 2001 (Katib) Sub Registry office kishanpur, Samastipur, P.S.- Warisnagar, Distt.- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vindeshwar Mahto @ Vndeshwar Mahto R/o vill - Ranjitpur, P.S.0 Khanpur, Distt.- Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate
For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 08-07-2026 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners who apprehend arrest in connection
with Complaint Case No. 246 of 2024 filed for the offences



punishable under sections 323,341,420,468 of the IPC.

3. As per the prosecution, the F.I.R. has been lodged against eight accused persons allegedly threatened and assaulted the complainant and his family members and fraudently executed sale deeds in respect of the ancestral property in favour of the petitioner Nos. 3 and 4.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. It is further submitted that the dispute is purely civil in nature arising out of an ancestral property dispute. Petitioner Nos. 1 and 2 are the sons of the complainant, petitioner Nos. 3 and 4 are his daughter-in-law, Petitioner No. 7 is his own brother, Petitioner No. 5 and 6 are merely attesting witnesses and Petitioner No. 8 is the deed writer. The petitioners have no criminal antecedent. It is further submitted that the land in question is the ancestral land of the petitioners and there is no partition between the parties. It is the complainant who himself executed sale deed with respect to joint property to his other three sons. It is further submitted that the complainant wants to dispossess the other persons from the joint property and in this background, the complainant's sisters have filed Partition Suit No. 30 of 2024.

5. Learned APP for the State opposes the prayer for



bail and submits that there are specific allegations of assault, cheating and forgery against the petitioners. It transpires to this Court that cognizance has already been taken by the learned Magistrate after enquiry and the petitioners have been summoned to face trial.

6. In the facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) as mentioned in Section 2(1) (d) of the Bharatiya Nagrik Suraksha Sanhita, 2023 to the satisfaction of the learned Judicial Magistrate-1st Class, Samastipur in connection with Complaint Case No. 246 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023.

(Dr. Anshuman, J)

Manshi/Ashwini

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