

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77311 of 2025

Arising Out of PS. Case No.-204 Year-2025 Thana- BAHERA District- Darbhanga

1. Arvind Kumar Mahto @ Arvind Kumar @ Ramesh Kumar Mahato @ Arvind Kumar Mahato S/O Bauelal Mahto @ Bauelal Mahato @ Baue Lal Mahto Resident of Village- Sher Bijuliya, P.S.- Bahera, Dist.- Darbhanga
2. Ashutosh Kumar @ Ashutosh Mahato @ Sethiya @ Asutosh Mahto @ Aashutosh Kumar Son of Bauelal Mahto @ Bauelal Mahato @ Baue Lal Mahto, Resident of Village- Sher Bijuliya, P.S.- Bahera, Dist.- Darbhanga
3. Sandipan Kumar @ Sandipan Kumar Mahato @ Sadipan Kumar @ Sadipan Kumar Son of Sanjay Mahto @ Sanjay Mahato, Resident of Village- Sher Bijuliya, P.S.- Bahera, Dist.- Darbhanga
4. Bauelal Mahto @ Bauelal Mahato @ Baue Lal Mahto Son of Kate Doman Mahato @ Lt. Doman Mahato @ Doman Mahto Resident of Village- Sher Bijuliya, P.S.- Bahera, Dist.- Darbhanga
5. Sanjay Mahto @ Sanjay Mahato @ Shiv Chandra Prasad Son of Bauelal Mahto @ Bauelal Mahato @ Baue Lal Mahto Resident of Village- Sher Bijuliya, P.S.- Bahera, Dist.- Darbhanga
6. Golu Kumar @ Sushant Kumar Son of Sushil Mahto @ Sushil Mahato, Resident of Village- Sher Bijuliya, P.S.- Bahera, Dist.- Darbhanga
7. Shivrajit Kumar @ Shivrajit Kushwaha Son of Sushil Mahto @ Sushil Mahato Resident of Village- Sher Bijuliya, P.S.- Bahera, Dist.- Darbhanga
8. Suman Kumar @ Suman Kumar Mahato @ Suman Kumar Mahto @ Shiv Ranjan Kushwaha Son of Sanjay Mahto @ Sanjay Mahato Resident of Village- Sher Bijuliya, P.S.- Bahera, Dist.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aryan Singh, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar Tiwary, A.P.P.
For the Informant	:	Mr. Subhash Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 18-03-2026 Heard learned counsel for the petitioners, informant
and the State.

2. Petitioners apprehend arrest in a case registered for



the offences punishable under Sections 126(2), 115(2), 351(2), 352, 109, 118(1), 329(3), 324(4), 324(5), 303(2) and 191(2) of the Bharatiya Nyaya Sanhita and Section 27 of the Arms Act.

3. As per prosecution case, all the F.I.R. named accused persons, including these petitioners, assaulted informant and others by means of iron rod. It is further alleged that the accused persons entered the house the house of informant and took away ornaments worth Rs. 50,000/-.

4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. During measurement and demarcation of land, a free fight took place between the parties in which both sides inflicted injuries on each other. Allegation of assault is general and omnibus and there is no specific allegation of overt act against these petitioners. Injuries sustained by the injured are simple in nature. Case and counter case. Admittedly, there is land dispute between the parties and both parties are in litigating terms with each other. Rest of the allegations are ornamental only to make the case grave. Similarly situated co-accused, namely, Ganesh Kumar Mahto has already been granted anticipatory bail by this Court *vide* order dated 13.01.2026 passed in Cr. Misc. No. 71457 of 2025.



5. Learned A.P.P. for the State as well as learned counsel for the informant vehemently opposed the bail application.

6. Considering the nature of accusation, injuries and case and counter case, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Benipur, Darbhanga in connection with Bahera P. S. Case No. 204 of 2025, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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