

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80719 of 2025

Arising Out of PS. Case No.-585 Year-2023 Thana- TURKAULIYA District- East
Champaran

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1. Dipak Kumar S/O Late Lakhindra Mahto Resident of village- Semra Belwatiya, P.S.- Turkauliya, District- East Champaran
 2. Jhuni Devi W/O Late Lakhindra Mahto Resident of village- Semra Belwatiya, P.S.- Turkauliya, District- East Champaran
 3. Soni Devi W/O Sunil Mahto Resident of village- Semra Belwatiya, P.S.- Turkauliya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 08-01-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Turkauliya P.S. Case No. 585 of 2023 instituted under Sections 147, 148, 149, 447, 341, 323, 324, 308, 379, 504 and 506 of the IPC.

3. The prosecution case, in short, is that in the background of a dispute over a village road, the petitioners and other co-accused persons abused and assaulted the informant with deadly weapons. It is also alleged that when the informant's family tried to save him, the accused persons also assaulted



them and committed *loot-pat* in the house of the informant.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. He further submits that after investigation police found no case against petitioner nos.2 and 3 and filed final form against them, however, the Court concerned has taken cognizance for the offence including Section 308 of the Indian Penal Code against the accused persons including the petitioners. Learned counsel submits that there is case and counter case between the parties and both the parties are agnates. He further submits that there is civil dispute between the parties. He submits that co-accused Anil Kumar @ Anil Mahto, Shiv Kumar and Devlal Mahto have already been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court vide order dated 26.04.2024 passed in Cr. Misc. No. 11363 of 2024 and the petitioners are better situated. He further submits that the petitioners have no criminal antecedent and they undertake to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event



of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount to each to the satisfaction of the learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Turkauliya P.S. Case No. 585 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

AjayMishra/-

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