

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6507 of 2026**

Arising Out of PS. Case No.-318 Year-2025 Thana- SAHEBPUR KAMAL District-
Begusarai

-
1. Bharosi Mahton @ Ram Bharos Mahton S/O Bishundeo Mahto @ Bishni Mahton Resident of Village- Sadpur, Ward No. 12, P.S- Sahebpur Kamal, District- Begusarai.
 2. Vikash Mahton S/O Shekho Mahton Resident of Village- Sadpur, Ward No. 12, P.S- Sahebpur Kamal, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 6363 of 2026

Arising Out of PS. Case No.-318 Year-2025 Thana- SAHEBPUR KAMAL District-
Begusarai

-
1. Kundan Kumar @ Kundan Mahto S/O Keshi Mahton @ Kesri Prasad Singh Resident of Village- Sadpur, P.S.- Sahebpur Kamal, District- Begusarai.
 2. Kunal Kumar @ Kunal Mahto S/O Vidyanand Mahton Resident of Village- Sadpur, P.S.- Sahebpur Kamal, District- Begusarai.
 3. Chandra Sekhar Kumar @ Bhuttu Mahto S/O Keshi Mahton @ Kesi Prasad Singh Resident of Village- Sadpur, P.S.- Sahebpur Kamal, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 17517 of 2026

Arising Out of PS. Case No.-318 Year-2025 Thana- SAHEBPUR KAMAL District-
Begusarai

-
1. Vidya Nand Mahton @ Bidya Nand Mahto Son of Kari Mahton @ Rameshwar Mahton Resident of Village- Sadpur, Ward No. 12, P.S.- S. Kamal, District- Begusarai
 2. Rajiv Mahton @ Rajiv Kumar Son of Kailu Mahton Resident of Village- Sadpur, Ward No. 12, P.S.- S. Kamal, District- Begusarai
 3. Gautam Mahton @ Gautam Kumar S/o Vidya Nand Mahton @ Bidya Nand Mahto Resident of Village- Sadpur, Ward No. 12, P.S.- S. Kamal, District- Begusarai



... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 6507 of 2026)

For the Petitioner/s : Mr. Binod Kumar
Mr. Amit Prakash
Mr. Amar Kumar Singh

For the Opposite Party/s : Ms. Pushpa Sinha
Mr. Sandip Kumar Gautam

(In CRIMINAL MISCELLANEOUS No. 6363 of 2026)

For the Petitioner/s : Mr. Amar Kumar Singh

For the Opposite Party/s : Ms. Pushpa Sinha
Mr. Sandip Kumar Gautam

(In CRIMINAL MISCELLANEOUS No. 17517 of 2026)

For the Petitioner/s : Mr. Amit Prakash

For the Opposite Party/s : Ms. Tapeshwar Sharma
Mr. Sandip Kumar Gautam

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 30-04-2026 **CRIMINAL MISCELLANEOUS No.6507 of 2026**

1. Heard learned counsel for the petitioners, learned APP for the State and the learned counsel appearing on behalf of the informant.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 109, 74, 351(2), 351(3), 352, 3(5) of the B.N.S.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on 08.11.2025, she along with her husband and sister in -law had gone to their field when 15



named accused persons including the petitioners came variously armed and Vidyanand said to plough the field of her husband (Shailesh) and if any one stopped then to kill, thereafter all the accused persons started ploughing her field and when her husband objected, Vidyanand gave orders to kill on which Gajo Mahto assaulted her husband by rod on head on account of which he bled from his nose and mouth, thereafter Gautam assaulted her husband by lathi causing injury on head and thereafter other accused also assaulted him. It is next alleged that when informant her sister in-law and Garib Yadav tried to save Shailesh, when accused persons assaulted them. Further, injured and her husband were taken to hospital and her husband during the course of treatment died on 19.11.2025. It is also alleged that accused persons were intending to grab her land.

4. The learned counsel for the petitioners submits that from perusal of the allegations as alleged in the FIR, it would manifest that on account of dispute relating to land the occurrence is alleged to have taken place. It is also submitted that side of the petitioners are claiming the land as their while informant's side is claiming that the land belongs to them. It is further submitted that from perusal of the allegations as alleged in the FIR, it would manifest that specific allegation of



assaulting the husband of the informant is against Gajo Mahto and Gautam. It is next submitted that entire family members have been implicated with general and omnibus allegations. It is also submitted that if privilege of anticipatory bail is granted the petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. Learned A.P.P. as well as informant opposes the anticipatory bail application, but then are not in a position to rebut the submissions of the learned counsel appearing on behalf of the petitioners that specific allegation of assaulting the husband of the informant by rod and lathi is against Gajo Mahto and Gautam.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor Court in connection with Sahebpur Kamal P. S. Case No.318 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S.



7. The application stands allowed.

8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioners, despite giving assurance to this Court, are not cooperating in the investigation or are not presenting themselves as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioners after recording reasons.

9. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

CRIMINAL MISCELLANEOUS No. 6363 of 2026

1. Heard learned counsel for the petitioners, learned APP for the State and the learned counsel appearing on behalf of the informant.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 109, 74, 351(2), 351(3), 352, 3(5) of the B.N.S.

3. The learned counsel for the petitioners submits that the petitioner nos.1 and 3 are persons with clean antecedent and petitioner no.2 has antecedent of one case and the informant alleges that on 08.11.2025, she along with her husband and



sister in -law had gone to their field when 15 named accused persons including the petitioners came variously armed and Vidyanand said to plough the field of her husband (Shailesh) and if any one stopped then to kill, thereafter all the accused persons started ploughing her field and when her husband objected, Vidyanand gave orders to kill on which Gajo Mahto assaulted her husband by rod on head on account of which he bled from his nose and mouth, thereafter Gautam assaulted her husband by lathi causing injury on head and thereafter other accused also assaulted him. It is next alleged that when informant her sister in-law and Garib Yadav tried to save Shailesh, when accused persons assaulted them. Further, injured and her husband were taken to hospital and her husband during the course of treatment died on 19.11.2025. It is also alleged that accused persons were intending to grab her land.

4. The learned counsel for the petitioners submits that from perusal of the allegations as alleged in the FIR, it would manifest that on account of dispute relating to land the occurrence is alleged to have taken place. It is also submitted that side of the petitioners are claiming the land as their while informant's side is claiming that the land belongs to them. It is further submitted that from perusal of the allegations as alleged



in the FIR, it would manifest that specific allegation of assaulting the husband of the informant is against Gajo Mahto and Gautam. It is next submitted that entire family members have been implicated with general and omnibus allegations. It is also submitted that if privilege of anticipatory bail is granted the petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. Learned A.P.P. as well as informant opposes the anticipatory bail application, but then are not in a position to rebut the submissions of the learned counsel appearing on behalf of the petitioners that specific allegation of assaulting the husband of the informant by rod and lathi is against Gajo Mahto and Gautam.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor Court in connection with Sahebpur Kamal P. S. Case No.318 of 2025, subject to the



conditions laid down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioners, despite giving assurance to this Court, are not cooperating in the investigation or are not presenting themselves as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioners after recording reasons.

9. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

CRIMINAL MISCELLANEOUS No. 17517 of 2026

1. Heard learned counsel for the petitioners, learned APP for the State and the learned counsel appearing on behalf of the informant.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 126(2), 115(2), 109, 74, 351(2), 351(3), 352, 3(5) of the B.N.S.

3. The learned counsel for the petitioners submits that the petitioner nos.1 and 2 are persons with clean antecedent and petitioner no.3 has antecedent of one case and the informant



alleges that on 08.11.2025, she along with her husband and sister in -law had gone to their field when 15 named accused persons including the petitioners came variously armed and Vidyanand said to plough the field of her husband (Shailesh) and if any one stopped then to kill, thereafter all the accused persons started ploughing her field and when her husband objected, Vidyanand gave orders to kill on which Gajo Mahto assaulted her husband by rod on head on account of which he bled from his nose and mouth, thereafter Gautam assaulted her husband by lathi causing injury on head and thereafter other accused also assaulted him. It is next alleged that when informant her sister in-law and Garib Yadav tried to save Shailesh, when accused persons assaulted them. Further, injured and her husband were taken to hospital and her husband during the course of treatment died on 19.11.2025. It is also alleged that accused persons were intending to grab her land.

4. The learned counsel for the petitioners submits that from perusal of the allegations as alleged in the FIR, it would manifest that on account of dispute relating to land the occurrence is alleged to have taken place. It is also submitted that side of the petitioners are claiming the land as their while informant's side is claiming that the land belongs to them. It is



further submitted that from perusal of the allegations as alleged in the FIR, it would manifest that specific allegation of assaulting the husband of the informant is against Gajo Mahto and Gautam. It is next submitted that entire family members have been implicated with general and omnibus allegations. It is also submitted that if privilege of anticipatory bail is granted the petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

5. Learned A.P.P. as well as informant opposes the anticipatory bail application. T the learned counsel appearing on behalf of the informant submits that no doubt speicfic allegation of assault is not alleged against the petitioner nos.1 and 2 but then petitioner no.3 Gautam is alleged to have assaulted the husband of the informant by lathi causing injury on head and her husband died subsequently during the course of treatment.

6. After hearing the learned counsel for the parties, the **petitioner nos.1 and 2**, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Trial Court where



the case is pending/successor Court in connection with Sahebpur Kamal P. S. Case No.318 of 2025, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

7. The application stands allowed.

8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioners, despite giving assurance to this Court, are not cooperating in the investigation or are not presenting themselves as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioners after recording reasons.

9. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

10. So far as petitioner no.3, Gautam Mahton @ Gautam Kumar is concerned, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner no.3.

11. The prayer of the **petitioner no.3, Gautam Mahton @ Gautam Kumar** for anticipatory bail stands rejected.

(Satyavrat Verma, J)

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