

District & Addl. Sessions Judge-II, Begusarai.

Present: Sanjay Kumar-III

B.A. No.- 289 of 2026

Arising out of Lakho P.S. Case No.-09 of 2026

U/s – 126(2), 115(2), 109(1), 118(1), 303(2), 351(2), (3), 352, 3(5) of B.N.S.

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1. Mohan Lal Das @ Mohan Das
2. Phulchand Das.....petitioners

Versus

The State of Bihar.....Opposite Party

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Appearance:

For the petitioner : Sri. Nakul Mahto, Adv.

For the State : Sri. Dilip Kumar, Ld. A.P.P

For the Informant : Sri Ram Prakash Yadav, Adv.

13.03.2026

1. This regular bail petition has been filed on behalf of the accuseds namely, 1. Mohan Lal Das @ Mohan Das, 2. Phulchand Das who are in judicial custody since 30.01.2026 in connection with Lakho P.S. Case No.-09 of 2026 under Sections 126(2), 115(2), 109(1), 118(1), 303(2), 351(2), (3), 352, 3(5) of B.N.S against the petitioners.

2. It is submitted on behalf of the learned counsel for the petitioners that no any other bail petition has been filed on behalf of the accuseds either before this court or before any higher court. Petitioners have no criminal antecedent. Petitioners are in judicial custody since 30.01.2026. It has also submitted that petitioners are quite innocent and they have committed no offence as alleged in the FIR. That all allegations against the petitioners are totally false, concocted and untrue. Petitioner No.-1, Mohanlal Das whose age is 57 years is too old for the active violence described and he suffers from the age related issues. The informant's primary objectives is to illegally obstruct the ongoing construction work being carried out by the accused on their own partitioned and ancestral land. On these grounds, it has been prayed that the bail application of the petitioners be allowed.

3. The prosecution case, in brief, is that on 28.01.2026 at about 05:30 pm, the informant was sitting at his shop at Dhabauli Chowk with his family members when Dilchand Das, Phulchand Das, Gautam Das, Raja Das and Mohan Das arrived there. Mohan Das instigated the others to loot the shop and kill the informant and his family members. Thereafter, Dilchand Das and Phulchand Das attacked the informant on his head with a (garsha) causing severe injuries and blood started oozing out. Meanwhile, Gautam Das and Raja Das looted the shop articles. They also assaulted the informant's daughter Suman Kumari and snatched a gold chain from her neck and also assaulted the informant's wife. After the occurrence, the informant went to Police Station and after receiving a slip from the police, got treatment at Sadar Hospital and then submitted this application for legal action. Thereafter, the present case was registered.

4. The learned I/C P.P for the State has opposed the prayer for bail of petitioners.

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- 5 Heard learned counsel for the petitioner, for the informant and the State.
- 6 Heard both sides and perused the record. As per the allegation the petitioners are in judicial custody since 30.01.2026 The allegation against the petitioners are that the informant was sitting at his shop with his family members, the accused Dilchand Das and Phulchand Das attacked the informant on his head with a (garsha) causing severe injuries and blood started oozing out. As per para 44 of the case diary, petitioners have no criminal antecedent. As para 60 of the case diary, the injury report of injured Santosh Das shows a lacerated wound over the scalp. At para 61 of the case diary, the injured Suman Kumari sustained an abrasion over right forearm. Both the injuries are simple in nature caused by hard and blunt substance. Petitioners have no criminal antecedent. The offences are under Sections 126(2), 115(2), 109(1), 118(1), 303(2), 351(2), (3), 352, 3(5) of B.N.S. & investigation is still going on.
7. For the reasons stated above and period gone in judicial custody since 30.01.2026, I am inclined to enlarge the petitioners on regular bail and on furnishing bail bond of Rs/- 10,000 X 2 sureties of the like amount with a condition:-
1. Petitioners will cooperate in investigation.
 2. Petitioners will not to threat the witness.

(Dictated)

Sd/-

(Sanjay Kumar-III)
District & Addl. Sessions Judge,
Begusarai.
13.03.2026

Copy of order	13.03.2026
Copy of reserving order	Nil
Uploading date	17.03.2026
Uploaded by	Monu Kr.