

IN THE COURT OF PRINCIPAL SESSIONS JUDGE, BEGUSARAI

B.A. No. 513/2026

Ref:- Arising out of Teghra P.S. Case No. 115/2026

Dt: 04.03.2026

U/S- 126(2), 115(2), 118(2), 109, 3(5) of B.N.S.

In the matter of :-

1. Raushan Kumar, S/o- Late Pramod Mahto,

2. Pankaj Kumar, S/o- Sri Ram Pukar Mahto,

Both are R/o village-Bansitol, Gaura-01, P.S-Teghra, Distt.-Begusarai

.....Petitioners

Vrs.

The State of Bihar

.....Opposite Party

Present:- Rishi Kant

Principal Sessions Judge, Begusarai

Ld. Counsel for the petitioners: - Sayed Mansur Alam, Adv.

Ld. Counsel for the O.P. :- Ld. P.P. I/C

Ld. Counsel for the informant :- Sri. Anil Kumar, Adv.

Date of order:-11.06.2026

ORDER

The present bail petition has been filed on behalf of above named accused/petitioners who have been in custody since 05.03.2026 in connection with above mentioned case registered u/s 126(2), 115(2), 118(2), 109, 3(5) of B.N.S, and the same has been put up for hearing.

Heard Learned Counsel Sayed Mansur Alam appearing on behalf of accused/petitioners and Learned P.P. I/C for the State and Learned counsel for the informant.

Prosecution case, in short, is that informant alleged that on 04-03-2026 at about 06:00 P.M. her uncle Jitendra Mahto going for defalcate. On that place Ramikbal Mahto assaulted him by Kudal due to which he was injured. His uncle came home in injured position. Then in the meantime, Pankaj Kumar, Raushan Kumar, Bandhan Mahto, Triloki Mahto came to her house and Pankaj Mahto assaulted Sanjani Kumari by Katta due to which she sustain injury upon neck. It is further alleged all the accused person assaulted by Lathi, Danda and bricks due to which Jitendra Mahto and Janki Devi sustained injuries. The motive behind occurrence is land dispute hence, the occurrence occurred. Accordingly, the present case has been registered.

The Ld. Counsel appearing on behalf of accused/petitioners has submitted that the petitioner have not filed any bail application either anticipatory or regular bail before this court or any higher court prior to filing the present bail application. It is further submitted that petitioners are innocent and have committed no offence and have falsely been implicated in this case. It is further submitted that neither the informant nor any prosecution party sustain injury upon the vital part of the body. Hence, section 109 of the B.N.S is not attracted. There is land dispute between them and there is case and counter case between the parties. Lastly he submitted that the

petitioners have been in judicial custody since 05.03.2026 having no criminal antecedent and they are willing to abide all the conditions imposed by the court. Therefore, they may be released on bail.

Per contra, the Ld. P.P. I/C appearing on behalf of State and Learned counsel for the informant vehemently opposed the prayer for bail.

Heard the learned counsels for the parties, and perused the photocopy of case diary. As per F.I.R, the allegation against the petitioners is that they along with others have assaulted the informant and his family members. From perusal of record, it appears that there is no specific allegation of assault against Raushan Kumar. It further appears that there is land dispute between the parties and case and counter case between the parties. Further from injury reports, it appears that the injured sustained simple injuries except one and the same is not on the vital part of the body. Moreover, from perusal of Para 77 of case diary, it appears that the charge-sheet has already been submitted against them, and at this stage, there is no submission on behalf of state that the release of the petitioners are likely to result in tampering with the evidence or interfering with the course of trial and the petitioners have been in judicial custody since 05.03.2026 having no criminal antecedent as per statement made at Para 3 of bail petition as well as Para 45 of case diary.

In view of these circumstances, I find it appropriate to grant bail to the petitioners. Accordingly, the prayer for bail is allowed. Let the accused/petitioners be released on bail on furnishing of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each with the satisfaction of learned court below subject to, further conditions:-

1. That one of the bailors must be close relative of the accused/petitioners.
2. That the accused/petitioners undertake that they shall not indulge in any similar nature of offence till conclusion of the trial and on failing so, court concerned shall be liberty to cancel the bail bond in present case if reported by the prosecution.

Office is directed to send a copy of this order through e-mail to the undertrial prisoner/petitioner through the Jail Superintendent, Begusarai.

(Dictated)

Sd/-

(Rishi Kant)

Principal Sessions Judge, Begusarai

Date of Judgment/Order	11.06.2026
Date of Reserving Judgment/Order	N.A.
Uploading Date	12.06.2026
Uploaded by	Rahul Verma