

In The Court of Sessions Judge, Buxar

A.B.P. No. 310 of 2026

(Arising out of Koransarai P.S. Case No. 23/2019)

Kajal Kumari, aged about 25 years, S/o Sunil Mahto

R/o Village- Kopwa, Police Station- Koransarai, District-Buxar

..... Petitioner

Versus

State of Bihar

.....Respondent

Appearance:

Learned Public Prosecutor for the State: Sri Kedar Nath Tiwari.

Learned Counsel for the Petitioner: Sri Anil Kumar Singh, Ld. Adv.

Present: Kajal Jhamb,
Sessions Judge, Buxar

Date of Order: 01st April, 2026

Anticipatory Bail Petition filed on behalf of petitioner named above, who is apprehending her arrest in connection with **Koransarai P.S. Case No. 23/2019** registered u/s 147, 149, 341, 323, 308, 504, 506 of I.P.C is put up and moved today.

Copy of bail petition has already been served to the Ld. P.P. for the prosecution.

Learned Counsel for the petitioner certifies that, no other bail petition has ever been filed on behalf of the petitioner in this matter either before this Court or before any other Superior Court. The petitioner has got no criminal antecedent. Prosecution has no objection to the submissions.

The Counsel further submits that, petitioner is quite innocent and has been falsely implicated in this case for no fault. The informant has filed a false case only to save himself from counter case filed vide Koransarai P.S. Case No. 24/2019. The petitioner is a respected lady and has done nothing to attract the provisions of alleged sections. No case u/s 308 I.P.C. is made out against the petitioner. There is no specific allegation against the petitioner. Both parties are co-sharers and there is a land dispute between them. Earlier the petitioner was on police bail. The investigation has been completed and cognizance has already been taken in the present case. The co-accused Ram Chandra Mahto and Daroga Mahto were granted regular bail by this Court in B.P. No. 176/2024, dated 20.04.2024. Co-accused Bhagmaniya Devi and Ramayan Mahto have been granted bail by Hon'ble High Court, Patna in Criminal Misc. No. 40547 of 2024, dated 30.07.2024. Therefore, petitioner also deserves to be enlarged on anticipatory bail.

Learned P.P. for the State vehemently opposes the Bail Petition on ground of nature and seriousness of offence. The Counsel further submits that the anticipatory bail of

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co-accused Daroga Mahto and Ramchandra Mahto was rejected by this Court. In present case the learned Court has taken cognizance of offence against the petitioner on 28.08.2019 and since then the record is pending for appearance of this petitioner which shows that petitioner is not co-operating in trial of the case.

The prosecution case in brief according to written petition of informant Nandji Mahto is that on 27.03.2019 at about 6 o'clock he went on his field and saw that co-accused Ramchandra Matho, Daroga Mahto, Ramayan Mahto forcibly cultivated the field and all the 10 F.I.R named accused persons along with petitioner were cutting the Masur planted in the field. On objection, they started abusing and assaulting informant with bamboo. On hearing the commotion, the informant's wife Urmila Devi, sister-in-law Sheela Devi, nephew Deepak Kumar & Raja Kumar, Son Golu Kumar and daughter Bahgmani Kumari came in his rescue. It is alleged that the accused assaulted them as well.

Heard learned Counsels of both side and perused the Trial Court Record. The petitioner is named in F.I.R. The record shows that the learned Trial Court has taken cognizance of offence u/s 147, 149, 323, 308, 504 of the I.P.C. against the petitioner and the other co-accused person on 28.08.2019. Since then the record is pending for appearance of petitioner.

Thus, considering the submissions of both sides and facts and circumstances of the case, I am not inclined to grant this petitioner the privilege of anticipatory bail. Accordingly, the present anticipatory Bail Petition of petitioner **Kajal Kumari** is hereby **disposed of** with a direction to the petitioner to surrender before learned Trial Court and seek regular bail which shall be decided by learned Trial Court without being prejudiced by this order.

Dictated
Sd/- Kajal Jhamb
Sessions Judge, Buxar
01-04-2026

Date of Order	01.04.2026
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