

In the Court of Additional Sessions Judge IX, Darbhanga

Present: Manoj Kumar Srivastava, A.S.J.-IX,

Anticipatory Bail Petition No. 476/2026

Arising out of Kamtaul P.S. Case No. 54/2026

1. Rudal Mahto, aged about 42 years, S/o Sitaram Mahto,
2. Kishun Mahto @ Kishun, aged about 37 years, S/o Niranjana Mahto,
3. Parwati Devi, aged about 42 years, W/o Niranjana Mahto,
4. Anita Devi, aged about 39 years, W/o Rudal Mahto,
5. Sapna Kumari, aged about 20 years, D/o Niranjana Mahto,
6. Punam Devi, aged about 35 years, W/o Kapleshwar Mahto

All are R/o Vill.-Malpatti, P.S.-Kamtaul, Dist.- Darbhanga

.....Petitioners.

v r s.

The State of Bihar

.....Prosecution.

On behalf of Petitioners:

Sri Neeraj Kumar Thakur, Ld. Advocate

On behalf of Opposite Party:

Sri Amrendra Narayan Jha, Ld. P.P.

ORDER

30-04-2026

01. The petitioners have filed the present anticipatory bail petition, as they are apprehending their arrest in connection with the present Kamtaul P.S. Case No. 54/2026, dt.10/03/2026, registered U/Ss. 126(2), 115(2), 118(1), 109(1), 74, 352, 3(5), 351(2) of the B.N.S., which is pending in the Court of Ld. C.J.M., Darbhanga.

02. The prosecution case, as per, the typed-application of informant Pinki Devi, in brief, is as such: On 02/03/2026 at night, the tree of *Shesham* worth Rs. 2,00,000/- was burnt at the plantation of the informant. When the informant reached at the plantation, she saw and started crying and she came to know that one Rudal Mahto, s/o Sitaram Mahto burnt her plantation. Further, when informant went to the house of Rudal Mahto and told his father about the same, then Rudal Mahto who was in drunken condition told her to run away from his house, otherwise he will kill him. Further, when the informant was returning home then accused Rudal Mahto hit with iron rod on her head and broken her skull. All other named accused also beaten the informant with iron rod. Accused Niranjana Mahto pulled saree from body of the informant and made her naked and when the son of the informant namely Aditya Mahto came to save her, accused Sitaram Mahto broke his skull with *Tengari* and beat him with intention to kill. It is further alleged that when informant and her son started crying and shouting then the local people came there and all the accused started fleeing. The accused cut the hand of informant's son namely Ankit Kumar with knife and also broken her leg. Accused Niranjana Mahto took away the saree and Mangalsutra of the informant. On the basis of typed application of the informant, F.I.R. was lodged and investigation started.

03. The learned lawyer of the petitioners has submitted that the petitioners are quite innocent having clean criminal antecedent and have committed no offence as alleged and the allegations leveled against them are totally false and baseless. Further earlier to this, the petitioners have not filed any bail application for grant of regular bail or anticipatory bail in this court or in the Hon'ble High Court in this case and no bail application of the petitioner is pending in any court.

Cont.

Ld. Advocate has also submitted that petitioners have been falsely implicated in this false and concocted case due to enmity and grudge. Further, the case has been compromised between the parties. Lastly, it is submitted that the petitioners are ready to abide any condition or conditions as laid down u/s 482(2) B.N.S.S., 2023 and also ready to furnish bail-bond with proper sureties. So, the petitioners may be given the privilege of anticipatory bail.

04. The learned P.P. has vehemently opposed the prayer of anticipatory bail of the petitioners.

05. Heard the Ld. Lawyers of the respective parties and perused the case record.

06. From perusal of the F.I.R., it appears that the present case has been lodged for the offence U/Ss. 126(2), 115(2), 118(1), 109(1), 74, 352, 3(5), 351(2) of the B.N.S. for assaulting the informant and her two sons by using iron rod, tengari and knife and causing head injury to the informant, head injury to injured Aditya Kumar and hand and leg injury to injured Ankit Kumar. There is specific allegation against petitioner no. 1 that he assaulted the informant with iron rod and caused head injury to her. Further, there is specific allegation against accused Sitaram Mahto to cause head injury to Aditya Kumar, by way of tengari, who is not the petitioner in this case. Further from perusal of the case record it also appears that the compromise has been done between the parties. Both parties have amicably settled their disputes for which they have filed compromise petition which is duly signed by both parties and their learned Advocates. So far case diary and injury report is concerned, on perusal of the case record, it appears that vide orders dated 25.03.2026, 04.04.2026, 10.04.2026, 16.04.2026 and 23.04.2026 case-diary and injury report was called out but the I.O. of this case has not submitted the same despite several directions and time. This act of the police officer amounts negligence in his duty. Therefore, the Office is directed to send copy of this order to the S.S.P., Darbhanga for taking action against erring police officer so that such kind of negligence should not be repeated in future. Now, on perusal of entire materials on record, it appears that the case has been compromised between the both parties and there is no injury report on record. Further, the investigation of the case is pending. However, there is no criminal antecedent of the petitioners.

07. Considering the aforesaid fact and no criminal antecedent of the petitioners, the A.B.P. filed on behalf of the above named petitioners is **allowed**.

08. Accordingly, it is ordered that in the event of their arrest or surrender before the concerned court within 30 days from the date of this order, the petitioners shall be released on bail on furnishing of bail-bond of Rs.10,000/- with two security of like amount each with condition laid down U/S 482(2) B.N.S.S., 2023 to the satisfaction of Ld. Court below. O/C is directed to send a copy of this order to the Court below and a copy of the same be uploaded in C.I.S.

(Dictated)

(Manoj Kumar Srivastava)
Addl. S. J. 9th, Darbhanga
30-04-2026

Memo No...../ Dated...../.......
Copy forwarded to
The Court of.....

Seal of the Court

Sd/-
(Manoj Kumar Srivastava)
Addl. S. J. 9th, Darbhanga