

**In the Court of Sri Rishi Gupta, Dist. & Addl. Sessions Judge-I, Benipur,
Darbhanga.**

Present **Rishi Gupta**
Dist. & Addl. Sessions Judge-I, Benipur
Benipur, dated, the 05th June, 2026
Bail Petition no. 45 of 2026

Chandan Prakash

.....**Petitioner.**

Versus

The State of Bihar

.....**Opposite Party.**

Counsel for the petitioner :- Sri Abdul Razique, Ld. Advocate.

Counsel for the State :- Smt. Punam Jha, Ld. APP.

ORDER

05.06.2026 The present application for bail has been filed on behalf of petitioner namely Chandan Prakash, aged about 30 years, S/o Krishna Kumar Mahto, R/o village – Maujampur, P.S. - Bahera, Dist. - Darbhanga, in connection with Bahera P.S. Case No. 326/25, for offence u/s 126(2), 115(2), 109, 75, 351(2), 352, 3(5) of BNS, which is pending in the Court of ACJM, Benipur, Darbhanga.

Heard Abdul Razique the Ld. Counsel for the petitioner and Smt. Punam Jha, Ld. A.P.P. on behalf of the State.

The prosecution case as stated by the informant Umesh Kumar in typed application is that on dated 08.09.2025 at about 12 P.M., accused persons Chandan Prakash, Vibha Devi, Komal Kumari, Anmol Devi, Kajal Kumari carrying with lathi, iron rod, Dabiya, Khanti came at the door of informant and start to abuse. That when informant objected the same, on order of Anmol Devi, accused Chandan Prakash and Vibha Devi assaulted the informant by Dabiya and iron rod due to which his head got injured. That again blow of Dabiya attempted on the informant but Ramesh Kumar stopped the assault of Dabiya. That Vibha Devi and Komal Kumari assaulted Ramesh Kumar by Khanti and iron rod. That when informant's mother-in-law and wife came to save the informant, accused Ramanand Mahto, Kajal Kumari and Anmol Devi assaulted, abused and misbehaved with them. That villagers brought the injured at Sub-Divisional Hospital, Benipur for their treatment.

The Counsel for the petitioner has submitted that this is the petition for grant of regular bail on behalf of above named petitioner who is rotting in jail custody since 13.05.2026 in connection with above mentioned case. That the petitioner is quite innocent and has committed no offence. That the petitioner filed an anticipatory bail vide ABP No. 466/25 before the Sessions Court Camp Court, Benipur which was rejected and thereafter filed anticipatory bail before the Hon'ble High Court, Patna vide Cri. Misc. No. 17344/26 which has been withdrawn due to the arrest of the petitioner and no other bail application is pending anywhere. That there is no criminal history against the petitioner. That the petitioner preferred bail before the Ld. Lower Court which has been rejected on 15.05.2026. That the petitioner has falsely been implicated in

Court of Dist. & Addl. Sessions Judge-I, Benipur (Darbhanga)
Present:- Shri Rishi Gupta, Dist. & Addl. Sessions Judge-I, Benipur
In Bahera PS Case No. 326/25, State vs. Chandan Prakash.

this case out of old enmity and grudge. That the entire allegations as levelled against the petitioner are false, baseless and absurd one. That the allegations are bailable except 109, 75 of BNS which is not attracting in this case. That this case is counterblast of Bahera P.S. Case No. 328/25. That there is land dispute in between the party. That the petitioner undertakes to abide by any condition if so imposed. That the petitioner undertakes to make proper pairvi till the disposal of the case. That the petitioner undertakes that he shall co-operate in investigation and trial. That the petitioner undertakes that there is no chance to tampering with the evidence at the hands of the petitioner. That the petitioner is ready to furnish the bail bonds to the full satisfaction of the Court. Therefore, the present petition may be allowed.

On the other hand Ld. APP appearing for the State has opposed the prayer for bail and submitted the offence is grave in nature, hence the bail petition may be reject.

Heard, Submissions of both parties and perused the record. From perusal of record, it has been found that this case has been filed u/s 126(2), 115(2), 109, 75, 351(2), 352, 3(5) of BNS. That injury report of injured Umesh Kumar is attached in Para 24 of case diary which shows only one injury while injury report of other injured persons shows injuries simple in nature. That a counter case is allegedly pending for same occurrence. That there is no criminal antecedent of the petitioner. That from more than 03 weeks, the petitioner is in jail. So, in the light of discussions made above and in such facts and circumstances of this case as well as considering period of custody, this Court finds its proper to enlarge the petitioner accused on bail and accordingly bail petition of accused petitioner namely **Chandan Prakash**, aged about 30 years, S/o Krishna Kumar Mahto, R/o village – Maujampur, P.S. - Bahera, Dist. - Darbhanga is hereby **allowed**. The petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(Rs. Ten Thousands/-) with two sureties of like amount each to the satisfaction of the court below and with the condition that accused petitioner shall remain present till commitment of the case.

(Dictated and Corrected)

(Rishi Gupta)
 Addl. Sessions Judge I,
 Benipur
 05.06.2026.

Date of Order	05.06.2026
Date of Reserving Order	05.06.2026
Uploading Date	06.04.2026
Uploaded by	Lav Kumar, Court Reader cum D.W.