

Court of Sessions Judge, Camp Court, Biraul(Darbhanga)

Present:- Sri Shiv Kumar,

I/c Sessions Judge, Camp Court, Biraul.

BP No. 151/2026(Mukesh Mahto vs. State of Bihar)

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In the Court of Sessions Judge, Camp Court, Biraul, Darbhanga

BP No. 151 of 2026

In the matter of :-

1. Mukesh Mahto, Son of Ram Pratap Mahto
.....Petitioners

Vs.

2. The State of BiharOpposite Party.

For the petitioners:- Sri Swatantra Kumar Mishra, Ld. Advocate.

For the O.P.(State):- Sri Bachcha Rai, Ld. APP.

Order

05.06.2026 The present bail petition has been filed on behalf of abovenamed petitioner who is in judicial custody since 13.05.2026, in connection with Kuseshwar Asthan PS case No. 24 of 2026, for the offences U/Ss 191(2), 191(3), 190, 126(2), 115(2), 109(1), 132 BNS, which is pending in the Court of Ld. SDJM, Biraul, Darbhanga.

Heard Sri Swatantra Kumar Mishra the Ld. Counsel for the petitioner and Sri Bachcha Rai Ld. APP for State.

The FIR in the present case has been lodged on the basis of application of informant namely Manoj Kumar Sharma who is posted as PSI at K.Asthan PS. The case of the prosecution as stated in application of informant in brief is that on 01.02.2026 at around 22:05 O'clock informant along with ASI Manav Shankar and a force consisting of Home Guard(301969) Guddu Kumar and (301967) Md. Imran departed for duty. Under the orders of SHO, they reached village Balaha to recover an accident-involved vehicle using a crane. During this process, a crowd of local villagers gathered there. While the police force was attempting to pull out the accident-involved truck, several individuals from the crowd began to protest. The identified individuals are Rambali Mahto, Mukesh Mahto, Sonu Mahto, Sajjan Mahto, Shyambali Mahto, Shankar Kamti, Golu Sah, Ramsewak Mahto, Chandan Mahto, Shyam Ram, Md. Azad. In addition to these, 100-150 unidentified individuals who could not be identified due to the late hour. The crowd became aggressive, shouting and opposing the recovery of truck, stating that the truck would not be removed at night. Upon seeing the police force the crowd became more violent. They formed an unlawful assembly, raised slogans against the police administration, and began stone pelting with the intent to kill. During this confrontation, Raju Kumar Singh, was seriously injured and treated at the community health center, K.Asthan. On the basis of aforementioned information the police has

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registered Kuseswar Asthan PS case no. 24 of 2026, for the offences U/Ss 191(2), 191(3), 190, 126, 115(2), 109(1), 132 of BNS against the petitioner and others.

Ld. Counsel for the petitioner submits that the petitioner is quite innocent and he has not committed any offence. The petitioner has falsely been implicated in this false case. The petitioner has no manner of concern with the alleged incident. There is no specific allegation of any overt act has been alleged against the petitioner. All the offence are bailable except offence u/s 109(1) and 132 of BNS which are not made out against the petitioner. Co-accused has already been granted bail by the Court of Ld. District and Addl. Sess. Judge, Biraul. The petitioner is law abiding citizen and he is ready to abide by conditions as imposed by the Court. The petitioner is in judicial custody since 13.05.2026. Therefore the present petition may be allowed.

On the other hand, Ld. Addl. P.P appearing on behalf of the State opposed the prayer for bail.

Heard submissions made at bar and perused the case records of the present case. There is allegation upon petitioners that he with other accused persons have deter police officials in discharge of official duties and pelted stones upon them. During this one Raju Kumar Singh got injured. From perusal of the case diary it appears that Para 56 of the case diary mentions that injured Raju Kumar received simple injury. Further co-accused namely Rambali Mahto has already been granted bail by the Court of Ld. Sessions Judge, Camp Court, Biraul by its order dt. 25.03.2026 passed in BP NO. 77/2026. The petitioner is in judicial custody since 13.05.2026. Therefore considering the discussions made above, nature of allegation leveled against the petitioner, period of custody undergone by him, nature of injury, and the fact that co-accused with similar allegation has been granted bail by the Court of Sessions Judge, Camp Court, Biraul as well as other facts and circumstances of the case the bail petition of abovenamed petitioner is **allowed**. The petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/ (ten thousand) with two sureties of the like amount each in connection with K.Asthan P.S. Case No. 24/26 to the satisfaction of the Ld. Court below subject to conditions as laid down u/s 480(3) of BNSS.

(Dictated)

(Shiv Kumar)

I/c Sessions Judge,

Camp Court, Biraul

05.06.2026