

IN THE COURT OF PRINCIPAL SESSIONS JUDGE
DISTRICT-GOPALGANJ

Anticipatory Bail Petition No. 436 of 2026

*(Arising out of Gopalpur P.S. Case No. 342 of 2025, registered U/S 126(2), 115(2), 118(1),
117(2), 109 and 303(2)/3(5) of the B.N.S.)*

In the matter of :-

Name of the petitioners	:1.) Lutawan Mahto, 2.) Krishna Kumar, 3.) Sonu Kumar, 4.) Gyanti Devi, 5.) Mala Devi, 6.) Rajanti Devi and 7. Savita Devi.
F.I.R. U/S	: 126(2), 115(2), 118(1), 117(2), 109 and 303(2)/3(5) of the B.N.S.
Charge-Sheet U/S	: Not submitted
Counsel for the Petitioners	: Shri Ramnath Shahu, ld. Adv.
Counsel for the State	: Shri Deo Vansh Giri, ld. P.P.

O r d e r.

07-04-2026

1. This Anticipatory bail petition filed on behalf of above named accused-petitioners, who are apprehending their arrest in connection with Gopalpur P.S. Case No. 342 of 2025, registered U/S 126(2), 115(2), 118(1), 117(2), 109 and 303(2)/3(5) of the B.N.S., is put up for hearing.

2. As per the F.I.R., the prosecution case in brief is that on the basis of written application of the informant, Gopalpur P.S. Case No. 342 of 2025 has been lodged against the petitioners and others. It is inter alia alleged in the F.I.R. that on 27-12-2025 at about 08:00 pm, petitioners along with other accused persons, who are the pattidar of informant, have committed theft of wood from the palani of the informant. When informant went to inquiry, all the accused persons armed with Gandasi, farsa and lathi-danda came out and accused Subash Mahto inflicted Gandansi blow on the head of informant and he sustained cut injury on his head and he fell down and became unconscious and they damaged the Palani of the informant.

3. It is submitted on behalf of accused/petitioners that they are innocent and have committed no offence and have been falsely implicated in this case. It is further submitted that there is no specific allegation attributed against the petitioners and Sec. 109 B.N.S. is not made out against the petitioners. It is further submitted that there is case and counter-case between the parties. It is further submitted that injuries are found to be simple in nature. It is lastly submitted that petitioners have got no criminal antecedent. On such strength, prayer for bail has been made by the petitioners.

4. Heard ld. Counsel appearing on behalf of the petitioners as well as ld. P.P. for the State. Ld. P.P. has opposed the prayer for bail of the accused-petitioners. During the course of hearing of this anticipatory bail matter, informant appeared before the court and strongly opposed the anticipatory bail prayer of the petitioners.

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5. Having heard both the parties and perused the case record. From the perusal of the F.I.R. as well as case record, it transpires that although petitioners are named in the F.I.R. but there is no specific allegation attributed against them and the allegations are general and omnibus and allegation of theft is ornamental and it further appears that both the parties are pattidar. Informant and witnesses at para-02, 05 and 06 of the case diary have repeated the version of the prosecution and they have not alleged anything specific against these petitioners and they have stated that both the parties are pattidar. From perusal of the injury report of injured at para-27 of the case diary, it appears that injuries are found to be simple in nature caused by hard and blunt substance. From perusal of para-30 of the case diary, it appears that petitioners have got no criminal antecedent and petitioner no. 4 to 7 are women.

6. Considering the aforesaid facts and circumstances of this case, the prayer for anticipatory bail of the petitioners is allowed. It is accordingly ordered that in the event of arrest or surrender before the Id. Court-below within 30 days from the date of this order, the above named petitioners shall be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Id. Court-below subject to conditions as laid down U/S 482(2) B.N.S.S. **subject to conditions that one of the bailers shall be close relative of the petitioners and one shall be local with further condition that petitioners will give an undertaking that they shall co-operate in the investigation/trial and they shall not temper with the witnesses or evidence.**

Let a copy of this order be sent to the Id. Lower court for information and needful and the order be uploaded on C.I.S. immediately.

(Dictated)

(Geeta Gupta)
Principal Sessions Judge, Gopalganj.