

In the Court of Additional Sessions Judge-V, Muzaffarpur

Anticipatory Bail Petition No. 1159/2026

(Arising out of Minapur P. S. Case No. 83/2026)

In the matter of:

1. Braj Mohan Mahto S/o Late Sitaram Mahto, aged about 51 yrs,
Resident of Village - Ramtomha, P. S.- Minapur (Panapur O.P.), District -
Muzaffarpur

.....Petitioner

Versus

State of Bihar

:

..... Opposite Party

Appearance(s)

Counsel for the Petitioner(s)

: Abhay Kumar, Advocate

Raman Kumar, Advocate

Counsel for the State

: Sadhusaran Prasad, Addl. PP.

Present: Suman Kumar Divakar

Bihar Superior Judicial Service

Order

21-04-2026

1. The Petitioner is praying for anticipatory bail in connection with Minapur P. S. Case No. 83/2026 registered for the offences under Section 126(2), 115(2), 74, 303(2), 109, 351(2), 352, 3(5) of Bhartiya Nyay Sanhita, 2023 (hereinafter referred to as 'BNS' for short).
2. Briefly stated, the specific allegation against the Petitioner is that he picked up the Informant (Nikki Kumari) from her bed and threw her on the surface. Thereafter, he assaulted on her head by means of bamboo fattah causing injury thereon. Further, other accused persons were also involved in the scuffle. And total three persons got simple injury in the present case including the Informant.
3. Learned Counsel for the Petitioner submits that there is property dispute between the parties. He has three criminal antecedents as disclosed in paragraph 3 of the bail petition. He further submits that both are pattidars. The injured persons have sustained simple injury. the Petitioner is a government teacher. In this backdrop, he prays for anticipatory bail.

4. Learned Additional Public Prosecutor has opposed the prayer for bail so made on behalf of the Petitioner. Learned counsel for the Informant has brought on record a list of additional FIR wherein the Petitioner is accused, but the same has not been disclosed in the petition.
5. Heard the parties. Considered the submissions. Perused the material on record including case diary. The allegation against the Petitioner is to have assaulted the Informant. The Informant has sustained injury on her knee and ring finger. But the troubling factor is that the Petitioner despite being a teacher, has not approached the Court with clean hands. He has concealed his criminal antecedents. In the petition, he has disclosed three criminal antecedents. Paragraph 12 of the case diary indicates that the Petitioner has four criminal antecedents and if the case record brought out by the learned Counsel for the Informant, it goes to six criminal antecedents being carried out by the Petitioner. In such circumstances, precisely considering the conduct of the Petitioner given the fact that he is a teacher and needs to maintain high standard of conduct, I am not inclined to extend him the privilege of pre-arrest bail. However, the Petitioner is directed to surrender before the Court concerned within fifteen days from the date of this order. The learned Court concerned is requested that it may decide the bail application, if any, in accordance with law and without being prejudiced by outcome of the present petition. The learned court is further requested that it may take into consideration while deciding the bail application that the Petitioner is a government teacher and injury on the Informant is not on the vital part of the body.
6. In the aforesaid terms, the present petition is **disposed of**.

(Suman Kumar Divakar)
Additional Sessions Judge-V
Muzaffarpur

Date of Judgement/Order	21.04.2026
Date of reserving Judgement/Order	21.04.2026
Uploading Date	22.04.2026
Uploaded by	Bambam Kumar Jha, Stenographer