

COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE- IIIrd, SAHARSA
Present-Chandan Kumar
Anticipatory Bail Application No.-189/2026
Arising out of Salkhua (Chiraiya O.P.) P.S. Case No.- 127/2021

Ashok Mahto & 2 others

Petitioners

Versus

State of Bihar

Opp. Party

Date of order or proceeding	Order with signature of the court	Office action taken with date
09.07.2026	1. The present anticipatory bail petition has been filed on behalf of petitioners namely 1. Ashok Mahto, 2. Bhumi Bind and 3. Sudin Kumar @ Sudin Kumar Anand @ Sudin Mahto apprehending their arrest in connection with Salkhua(Chiraiya O.P.) P.S. Case No.- 127/2021 registered for the offences punishable U/Ss 147, 148, 149, 341, 342, 323, 308, 354(A), 379, 427, 448, 504 of IPC. The record has been put up for hearing. 2. Heard Sri Ravindra Kumar Singh learned counsel for the petitioner as well as learned A.P.P. Sadanand Yadav for the State. 3. The case of prosecution in brief as per written information of Rinki Kumari is that on 11.07.2021 in the mid night at about 12:30 accused persons namely 1. Anandi Mahto, 2. Subodh Kumar, 3. Masudan Mahto, 4. Suresh Mahto, 5. Sanjay Mahto, 6. Suresh Mukhiya, 7. Ashok Mahto, 8. Umesh Mahto, 9. Thakur Yadav, 10. Bhumi Bind, 11. Sunil Bind, 12. Sudin Kumar, 13. Googli Mahto, 14. Bhola Mahto and Ghanshyam Mahto along with other unknown having armed with raffle and other deadly weapon entered her (informant's house) by breaking door with intent of committing robbery. Further in said course accused persons tried to outrage the modesty of female members and being objected at the instigation of Bhoomi Bind (present petitioner no.-2) and Sanjay Mahto accused persons outrage the modesty of the female members and further in said course a snatched the jewelry from her person. Furthermore in said course accused Ashok Mahto (petitioner no.-1) and Sudin Kumar (petitioner no.-3) took away jewelry from the person of informant's daughter-in-law. Further case of the prosecution as per informant that in the alleged incident of mid night all the accused persons	

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contd. 09.07.2026	committed robbery of jewelry, cloth, utensils worth rupees 10,00000/- (ten lakh) and cash to the tune of Rs. 90,000/- from the bag of his father-in-law. Furthermore in the alleged incident upon commotion her (informant's) father-in-law aged about 80 years tried to protest in which co-accused Anangi Mahto made firing which having touched his abdomen caused injury to his left hand to which he got unconscious. 4. Learned counsel submitted that petitioner is innocent and has committed no offence. Further he submits that no other bail application has been filed in this Court or before the Hon'ble High Court. Further it is submitted that petitioner no.-1 and 3 has one criminal antecedent and petitioner no.-2 is having clean antecedent. Further he submitted that petitioners have not been arrested on the spot and the alleged incident took place on account of land dispute. Further he submitted that after completion of investigation the charge-sheet has been submitted against the co-accused but so far the present petitioners are concern they have not been sent up showing no complicity, however, the court proceeded against the present petitioners as well and took cognizance for the offences including section 307 of the IPC. Further he submitted that co-accused persons namely Suresh Mahto and Subodh Kumar Mahto have been granted pre-arrest bail vide order dated 27.04.2023 passed in Cri. Misc. No.-11920 of 2023 while accused Anandi Mahto has been granted regular bail earlier from the Hon'ble High Court vide order dated 20.12.2024 passed in Cri. Misc. No.-77715 of 2024. The petitioners are ready to furnish the sound sureties to the full satisfaction of the learned Court. Lastly, it is submitted that petitioner deserve anticipatory bail. 5. On the contrary learned A.P.P. vehemently opposed the prayer for pre-arrest bail. 6. Perused the record. It appears that petitioners are named in the FIR and there is specific allegation against the present petitioners is that they along with other accused persons having armed with deadly weapons including fire arm entered the house of the informant and committed robbery at mid night and also in said course co-accused	
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09.07.2026	Anandi Mahto in furtherance of common intention of all made firing in which informant's father-in-law Ramotar Mahto aged about 82 years sustained fire arm injury and as per the injury report the doctor has found lacerated wound over left forearm stating therein that the mode of injury is fire arm and the nature of the said injury is grievous. Further the witnesses mentioned in para-8, 13 and 14 of the case diary have stated on the active complicity of the accused petitioners in the alleged crime and also the seizure list mentioned in para-3 of the case diary shows recovery of blood stained pellet and empty cartridges from the house of the injured. 7. Considering the facts and circumstances and the manner of alleged crime in which robbery is committed and the person has sustained fire arm injury, I am not inclined to enlarge the petitioner on pre-arrest bail and hence the prayer for anticipatory bail of petitioners namely 1. Ashok Mahto, 2. Bhumi Bind and 3. Sudin Kumar @ Sudin Kumar Anand @ Sudin Mahto is hereby rejected. (Dictated & corrected by me) Sd/- (Chandan Kumar) Addl. Sessions Judge III	
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