

IN THE COURT OF ADDITIONAL SESSIONS JUDGE-IV, SAHARSA

A.B.A. NO. 650/2026

Sonbarsa Raj P.S. case no. 20/2026

Upendra Mahto and Others

.....Petitioners

versus

The State of Bihar

Order

23.06.2026

1. Anticipatory bail application has been filed on behalf of petitioners namely **1. Upendra Mahto @ Upendra Kumar 2. Devendra Mahto @ Yogendra Mahto and 3. Jogindra Mahto @ Yogendra Kumar**, who apprehend their arrest in connection with **Sonbarsa Raj P.S Case No. 20/2026** registered u/s 190, 191(2), 126(2), 115(2), 118(1), 76, 109, 352, 351(2), 351(3) and 3(5) of BNS.

2. The prosecution story in brief as per informant Sukhmani Devi is that on 04.02.2026, at about 07:00 AM, due to a goat, accused/ petitioner along with other accused persons lashed with lathi, Danda, Iron rod and Kudal started abusing and injured the informant and her family member.

3. Heard Ld. Counsel for the petitioners and Ld. APP for the state.

4. Ld. Counsel for the petitioners submits that petitioners are quite innocent and have committed no offence and have falsely been implicated in this case. He further submits that there are all together 19 accused in the present FIR out of which 9 are named and 10 are unnamed and there is no any criminal antecedent against the petitioners.

5. Ld. APP vehemently opposes the bail and stating that informant has made direct allegation against the petitioner Devendra Mahto, who has caused injury to the informant and her family member with Kudal and this fact is supported by witnesses in the case diary.

contd..

23.06.2026

6. Considering the specific allegation against the petitioner **Devendra Mahto** causing injury upon Bharat Mahto, this court is **not inclined** the grant anticipatory bail to the accused/petitioner Devendra Mahto @ Yogendra Mahto, hence his prayer is hereby by **rejected**.

7. However, Considering only general and omnibus allegation against other 2 accused/petitioner namely Upendra Mahto @ Upendra Kumar and Jogindra Mahto @ Yogendra Kumar **AND** clean antecedent, the prayer for anticipatory bail of accused/petitioner namely **1. Upendra Mahto @ Upendra Kumar and 2. Jogindra Mahto @ Yogendra Kumar is allowed** and they shall be **released on bail** in the event of their arrest or surrender **within four weeks** before the concern trial court with two sureties of Rs. 10000/- of like amount.

8. Ld. Counsel for the accused/petitioner submits that petitioner no. 1 and 3 namely Upendra Mahto @ Upendra Kumar and Jogindra Mahto @ Yogendra Kumar are willing and would be loving to do some social work therefore they **each** are asked to **plant 100 fruit bearing tress or trees like Baniyana, Neem or Pipal (encouraging the Bihar Government Scheme 'JAL JEEVAN HARYALI')** in the public place such as Temple, school etc and shall **take care** of those tress **for next six months** and file the **photographs** of planting of those trees in the court concerned and obtain a certificate from the **Mukhiya or Sarpanch or Ward Counselor** of his area after plantation of these trees and shall file the same within one month and also after completion of care for 6 months and shall file the same in the court concern.

Accordingly the bail petition is disposed off.

Dictated

Sd/-

Avinash Kumar I

Addl. Sessions Judge-IV

Court- District Addl. Sessions Judge-IV
Present-Sri Avinash Kumar-I
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Upendra Mahto & Other Vs. State of Bihar
Saharsa