

In the Court of District and Additional Sessions Judge-III, Sheohar.

A.B.P. No-323/2026

Arising out of Sheohar PS Case No-258 /2026

Present:-Sunil Dutt

District and Additional Sessions Judge-III, Sheohar

1. **Lakho Devi W/o Chhotu Mahato, Aged about 25 years,**
2. **Karan Mahato @ Karan Kumar, S/o Late Tejan Mahato, Aged-about 22 years**
3. **Chhotu Mahato, S/o Late Tejan Mahato, Aged-about 27 years.**

R/o Mahuariya , P.S.- Sheohar, District-Sheohar, Bihar.

..... (Petitioners)

V /s

State Of Bihar Opposite Party)

On behalf of State-Md. Arshad Siddique (Ld. APP)

On behalf of defense- Shri Chetnarayan Tiwary and Munindra Kumar Singh (Ld. Advocates)

Sl. No.	Date of Order	Order with signature	Remarks
	<u>01-08-2026</u>	<u>Order</u> The anticipatory bail petition of petitioners above named (1) Lakho Devi (2) Karan Mahato @ Karan Kumar, (3) Chhotu Mahato, who are apprehending their arrest in connection with Sheohar PS Case No-258/2026 u/s 126(2), 115(2), 117(2), 76, 303(2), 3(5) of BNS, has been pressed today for hearing. Copy of the petition has already been served to Ld. APP for the state. Heard Shri Chetnarayan Tiwary Ld. Counsel appearing on behalf of the petitioners and Md. Arshad Siddique Ld. APP for the state and perused the case record. The prosecution story as per FIR in brief is that informant Minta Devi, w/o Lalbabu Patel, R/o Mahuariya, Ward no. 15, P.S.- Sheohar, District-Sheohar, filed a written complaint before SHO, Sheohar, alleging therein that on 08-06-2026 at about 5:30 P.M during heavy rain and thunderstorm, she	

In the Court of District and Additional Sessions Judge-III, Sheohar.

A.B.P. No-323/2026

Arising out of Sheohar PS Case No-258 /2026

Present:-Sunil Dutt

District and Additional Sessions Judge-III, Sheohar

<u>Continued</u> <u>01.08.2026</u>	along with her daughter-in-law were alone in the house. At the same time Chhotu Mahato, Karan Mahato, Raja Mahato with wrong motive and to commit robbery entered in her house. When she objected all started committing robbery, when her son Saurav Kumar drenched in the rain arrived, then all tried to kill him. When she tried to protect her son then they snatched golden earring, <i>mangalsutra</i> of value Rs- 100000/- (one Lakh) and injured her by cutting on her stomach and chest with teeth, they also took rupees eight thousand from her blouse. On hearing noise Anshu Kumari, Bhikhana Devi, Lakho Devi, Mundrika Mahato also came and assaulted them severally with <i>fatta</i>. Then the villagers gathered so any how they were saved . Since Panchayat was going on so there is delay in lodging FIR. Accordingly FIR was lodged. Ld. Counsel appearing for the petitioners has submitted that no other anticipatory bail application has been filed or pending before this Court as well as before Hon'ble High Court Patna as mentioned in para-2 of the petition, and the petitioners have no criminal antecedent as mentioned in para-3 of the anticipatory bail petition. The learned Counsel further submitted that on 08-06-2026 informant and her family member at about 5:00 P.M throw dirty water in front of door of the petitioners and when it was complaint then the informant and her family members have quarreled with the petitioners with <i>lathi danda</i> and snatched mobile of the petitioners regarding which petitioner Karan Kumar has lodged Sheohar P.S. case no 249/26 dated 10.06-26. After lodging of the FIR, the informant lodged a false and concocted case against the petitioners on 14-06-2026, after delay of six days without any reasonable explanation, which is after thought process. There is also no chance of absconding of petitioners, they are ready	
---	---	--

In the Court of District and Additional Sessions Judge-III, Sheohar.

A.B.P. No-323/2026

Arising out of Sheohar PS Case No-258 /2026

Present:-Sunil Dutt

District and Additional Sessions Judge-III, Sheohar

<u>Continued</u> <u>01/08/2026</u>	to follow the conditions and furnish bail bond as per order of the Court. At last it has been prayed to allow the anticipatory bail of the petitioners. <i>Per contra</i> Ld. APP opposed the prayer of the petitioners for anticipatory bail. Heard both sides and perused the case record. On perusal of the case record it appears that FIR has been lodged u/s 126(2), 115(2), 117(2), 76, 303(2), 3(5) of BNS, in which section 76, 303(2) are non-bailable and other sections are bailable in nature. On perusal of para 02, 03 and 04 of the case diary it appears that the allegations against the petitioners regarding disrobing the informant and committing theft are general and omnibus. On perusal of para 22 and 23 of the case diary it appears that on the alleged date of occurrence i.e. on 08/06/26 at about 05 p.m, when due to heavy rain and thunder storm, the rain water was flowing from the roof of Lalak@Lalbabu Mahato towards the door of Karan Mahto, it lead to quarrel between both the parties. From further perusal of case record it appears that petitioner Karan Kumar has filed Sheohar PS case no 249/26 dated 10/06/26 against husband of informant and her family members alleging date of occurrence of 08/06/26. Present case has been lodged by informant mentioning same date and time after 04 days of lodging the case against her family members, which appears to be counter blast of the aforesaid case. There is no criminal antecedent of the petitioners which has been mentioned in para 28 of the case diary, which has also been mentioned in para-3 of the anticipatory bail petition which is also supported with an affidavit. Thus, considering the aforesaid facts and circumstances of the case, petitioners having clean antecedent, this court is	
---	--	--

In the Court of District and Additional Sessions Judge-III, Sheohar.

A.B.P. No-323/2026

Arising out of Sheohar PS Case No-258 /2026

Present:-Sunil Dutt

District and Additional Sessions Judge-III, Sheohar

<u>Continued</u> <u>01/08/2026</u>	inclined to enlarge anticipatory bail to the above named petitioners. It is therefore ordered that in the event of arrest or surrender before the learned trial court concerned within four weeks from the date of receipt of this order the accused/petitioners Lakho Devi (2) Karan Mahato @ Karan Kumar, (3) Chhotu Mahato, are directed to be released on bail after furnishing bail bond of Rs. 10,000 (Ten Thousands) with two sureties of like amount each to the satisfaction of the Court concerned, subject to the further condition that:- (i) one of the bailor shall be either father, mother, brother, sister, son or any close relative. (ii) The petitioners shall co-operate during investigation and trial. (iii) Bailors shall furnish separate declaration/undertaking u/s 486 of BNSS. (iv) The petitioner shall comply the conditions as mentioned under section 482(2) of B.N.S.S. Dictated Sd/- (Sunil Dutt) District & Additional Sessions Judge-III, Sheohar. 01.08.2026	
---	--	--