

In the court of Ist Addl. Sessions Judge, Sheikhpura.
Presiding Officer: Sri Neeraj Kishore
Anticipatory Bail Petition No. 287/2026
Sidhesar Mahto and Others Vs. State of Bihar

In the court of Ist Addl. Sessions Judge, Sheikhpura.
Presiding Officer: Sri Neeraj Kishore
Anticipatory Bail Petition No. 287/2026
Sidhesar Mahto and Others Vs. State of Bihar
Arising out of Karandey P.S Case No. 29/2026
U/s – 191(2), 191(3), 190, 126(2), 115(2), 118(1), 109, 303(2) of BNS

1. **Sidhesar Mahto, aged about 74 years**
S/o Ganesh Mahto
2. **Sunita Devi @ Musni Devi, aged about 40 years**
W/o Rambalak Mahto
3. **Rambalak Mahto, aged about 43 years**
S/o Sidhesar Mahto
4. **Sunaina Devi, aged about 38 years**
W/o Shrawan Mahto
5. **Rakesh Kumar, aged about 21 years**
S/o Mantu Mahto
All R/o Vill. –Bhikhni
P.S – Karandey
Dist.- Sheikhpura

..... **Petitioners**

Vs.

State of Bihar

..... **O.P**

Counsel for the petitioners ----- Sri Rajiv Kumar, Ld. Advocate
Counsel for the State -----Sri. Shambhu Sharan Singh, Ld. Addl. P.P

ORDER

05.06.2026 Anticipatory Bail petition dated 18.05.2026, filed on behalf of the accused/ petitioners 1. Sidhesar Mahto, 2. Sunita Devi @ Musni Devi, 3. Rambalak Mahto, 4. Sunaina Devi and 5. Rakesh Kumar who apprehend their arrest in connection with Karandey P.S Case No. 29/2026, under Sections- 191(2), 191(3), 190, 126(2), 115(2), 118(1), 109, 303(2) of BNS pressed today.

Karandey P.S Case No. 29/2026 Dated- 05.06.2026 Addl. S.J.Ist,Sheikhpura

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Pressing the bail petition, learned counsel for the petitioners has submitted that no bail petition either regular or anticipatory has been filed or is pending on behalf of the petitioners either before this Sessions Division or before the Hon'ble High Court and the petitioners have no criminal antecedent. It has been further submitted that the petitioners are quite innocent and have committed no offence and have been falsely implicated in this case. It has been submitted that the FIR has been lodged u/s 191(2), 191(3), 190, 126(2), 115(2), 118(1), 109, 303(2) of BNS and apart from allegation u/s 118(1), 109 and 303(2) of BNS, all other allegations are bailable in nature and these allegations have been leveled to make the case graver. It has further been submitted that the present case is the counter blast of Karandey P.S. Case No. 30/2026 instituted by the petitioners' side against the informant side. It has also been submitted that there is land dispute between the parties. Learned counsel has sought to enlarge the petitioners on the privilege of anticipatory bail.

On the other hand, learned Addl. P.P. has opposed the petition for bail.

Case diary has been received.

I have heard the submissions and gone through the materials available on the record, it transpires that no other bail petition of any nature is pending on behalf of the petitioners, either before this Sessions Division or before the Hon'ble High Court and nothing has been mentioned in the case diary with regard to the criminal antecedent of the petitioners. It transpires that the instant FIR has been instituted at the instance of informant Chandan Kewat alleging therein that a land dispute existed between him and accused Sidheswar Mahto since last two years in which the Id. CO vide its order dated 11.04.2026 passed orders in his favour. It is alleged that on 11.04.2026 the accused called the informant at the disputed land to see the orders passed by Id. CO on which the informant went at the disputed land and the accused took the document from him and threw it and also assaulted him and his family members by lathi, danda, talwar and iron rod. It is alleged that accused assaulted his brother Shambhu Kewat by talwar at his head causing head injury and his wife was also assaulted and her gold mangal-sutra and earrings were snatched. It is alleged that accused Sidheswar Mahto, Sunita Devi, Rambalak Mahto, Babita Devi, Pratap Mahto,

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Sunaina Devi, Mantu Mahto, Hareram Mahto, Rakesh Kumar, wife of Dwarik Pandit, Balmiki Pandit and Krishna Pandit assaulted him and his family members.

Perusal of the case diary shows that the informant has supported his case in his restatement at Para 2 and the witness at Para 3 has also supported the prosecution case. The injured witnesses at Para 4 and 5 have also supported the prosecution case. The injury report of injured Sangita Devi shows painful tenderness and swelling of left forearm, bruise on left wrist of size 2" x 1". The injury report of injured Pawan Kewat shows painful tenderness and swelling at frontal bone of skull of size 2" x 1". The injury report of injured Ramrati Kewat shows abrasion on right arm of size 2" x 2". The injury report of injured Shambhu Kewat shows cut lacerated wound on occipital bone of skull of size 3" x ¼" x muscle deep. The injury report of informant Chandan Kewat shows two abrasion with swelling right elbow joint (6" x 1/8") and painful tenderness and swelling at left elbow joint. The injury report of injured Tara Devi shows painful tender swelling at right hand and abrasion at left knee joint of size 2" x 2" and the injury report of injured Ajit Kewat shows bruise on left elbow joint of size 2" x 1" and painful tenderness swelling at right arm shoulder joint. All the injuries were found simple in nature except one injury of injured Tara Devi. It appears that the informant has not stated in its FIR or in his restatement as to who assaulted the informant and his family members. It is alleged that 12 assailants armed with weapons assaulted the informant and his family members, but no specific allegations have been leveled against any of the accused. From the materials available on the record, it cannot be ascertained as to which of the accused assaulted the informant and his family members, thus, it appears that there is general, omnibus and composite allegations leveled against the petitioners. It transpires from the materials available on the record that whether or not the petitioners were the main assailants cannot be ascertained. It is true that several persons sustained injuries, but the injuries were found simple in nature and were not at the vital part of the body. Moreover, there is no repeated blows at any of the injured to show that the petitioners if at all assaulted the informant and his family members, had the intention to commit the murder of the informant and his family members.

Under these circumstances considering the nature of offence and its gravity as well as the general and omnibus allegations against the petitioners, I deem it fit and proper to en-

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large the petitioners 1. Sidhesar Mahto, 2. Sunita Devi @ Musni Devi, 3. Rambalak Mahto, 4. Sunaina Devi and 5. Rakesh Kumar on the privilege of anticipatory bail in the event of their arrest or surrender before the Id. Trial Court within four weeks from the date of passing of this order on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount subject to the satisfaction of the Id. Trial Court.

The instant anticipatory bail petition dated 18.05.2026 stands **allowed**.

Let a copy of this order be transmitted to the Id. Trial Court forthwith.

Dictated

Sd/-
(Neeraj Kishore)
Addl. Sessions Judge- 1st
Sheikhpura

Memo No. Dated 05.06.2026 sent to the Ld. court of Smt. Mithu Rani, J.M.F.C., Sheikhpura alongwith order dated 05.06.2026 passed in ABP No. 287/2026.

Dictated

(Neeraj Kishore)
Addl. Sessions Judge- 1st
Sheikhpura

Date of Judgment /Order	05.06.2026
Date of Reserving Judgment/Order	05.06.2026
Uploading date	06.06.2026
Uploaded by	Md. Reyazul Haque