

In the Court of Motish Kumar Singh Sessions Judge, Siwan.

Anticipatory Bail Petition No. 511/2026

Bhagwanpur Hat P.S. Case No. 186/2024

Kundan Kumar & another.....Petitioners

Vs.

The State of Bihar O.P.

ORDER

24.03.2026

1. Ld. Counsel moves this anticipatory bail petition on behalf of accused petitioners namely **(1) Kundan Kumar, (2) Lallan Mahto**, who apprehend their arrest in connection with Bhagwanpur Hat P.S. Case No. 186/2024 registered u/s 147, 341, 323, 307, 504, 506 of IPC.

2. Ld. Counsel for the petitioners submits that petitioners are innocent and have committed no offence, rather they have falsely been implicated in this case. Petitioners bear no criminal antecedent. The allegations as narrated in the FIR is totally false, baseless and concocted. There is land dispute between the parties. Other co-accused persons have been granted bail by Ld. predecessor of this court and the case of these petitioners is on similar footing. There is no chance of their absconding and tampering with the evidence. Hence, Ld. Counsel prays for anticipatory bail.

3. On the other hand, Ld. P.P opposes the prayer for anticipatory bail.

4. Heard. Perused the record.

5. From perusal of the record, it transpires that an FIR *vide* Bhagwanpur Hat P.S. Case No. 186/2024 was registered on 13.05.2024 u/s 147, 341, 323, 307, 504, 506 of IPC against the petitioners along with other co-accused persons. As per FIR, the informant alleged that on 12.05.2024 at about 12:00 noon, the informant along with his nephews Manoj Thakur and Shatrudhan Thakur was got ploughing his field. In the meantime, informant's pattidars Harendra Thakur, Birendra Thakur, Ranjan Thakur, Kundan Kumar, Sumit Kumar, Vivek Thakur, Bimlesh Kumar, Bharat mahto, Rakesh Mahto, Dharmendra Mahto, Satyendra Mahto, Lalan Mahto, Alok Kumar Sah armed with lathi-danda, rod, daab, hockey stick came, when the informant told them that this land has been ploughing and harveshing for hundred years before, since his ancestors. On hearing it, all the accused-persons started abusing, in this duration, Vivek Thakur armed with rod assaulted informant's nephew Manoj Thakur on his head and he sustained head injury and fell on the ground. When the informant another nephew Shatrudhan

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Thakur came for rescue, then Satyendra Mahto armed with hockey stick assaulted on his head and he fell on the ground. It is further alleged that Satyendra Mahto, Dharmendra Mahto, Vimlesh Kumar and Rakesh Mahto continued assaulting to Shatrudhan Mahto till he became unconscious. On hearing hullah, informant's family members came, they were also assaulted by the accused persons. The accused persons also threatened the informant and his family members.

6. From perusal of record, it appears that there is omnibus allegation against the petitioners. There is specific allegation of assaulting Satrudhan Kumar is on co-accused Satyendra Mahto, who is enlarged on anticipatory bail bail by Hon'ble High Court, Patna, vide order dated 03.01.2025 in Criminal Miscellaneous No. 75364/2024. Moreover, other similarly co-accused persons have been granted bail by Ld. Predecessor of this court vide order dated 17.08.2024 in A.B.P No. 1485/2024.

7. As per para-43 of the bail petition, it appears that petitioners bear no criminal antecedent.

8. Considering the aforesaid facts and the fact that there is omnibus and general allegation against the petitioners, the present anticipatory bail petition is **allowed.**

9. It is directed that in the event of their arrest or surrender before learned trial court within six weeks, the petitioners shall be released on furnishing by them bail bonds of Rs. 10,000/- with two sureties of like amount each to the satisfaction of the learned trial court subject to conditions as mentioned under section 482 of BNSS.

(Dictated)

(Motish Kumar Singh)
Sessions Judge,
Siwan.
24.03.2026.