

IN THE COURT OF SESSIONS JUDGE, AURANGABAD (BIHAR)

A.B.P. No. 331/2026

Arising out of Fesar P.S. Case No. 144/2025

Present:- Rajeev Ranjan Kumar, Sessions Judge, Aurangabad (Bihar)

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1. Gaya Singh, S/o Inderdev Chandervanshi, age-55 years, R/o village- Jamalpur, P.S.- Fesar, District- Aurangabad (Bihar).
 2. Sushil Chandervanshi, S/o Shiv Narayan Chandervanshi, age-39 years, R/o village- Jamalpur, P.S.- Fesar, District- Aurangabad (Bihar).
 3. Vishal Chandervanshi, S/o Bhim Chandervanshi, age-22 years, R/o village- Jamalpur, P.S.- Fesar, District- Aurangabad (Bihar).
 4. Lallan Singh, S/o Baijnath Singh, age-45 years, R/o village- Jamalpur, P.S.- Fesar, District- Aurangabad (Bihar).
 5. Sintu Chandervanshi, S/o Baijnath Singh, age-32 years, R/o village- Jamalpur, P.S.- Fesar, District- Aurangabad (Bihar).

... .. Petitioner(s)

Versus

The State of Bihar

... ..Opposite Party(s)

Appearance :

For the Petitioner(s) : Sri Mukesh Kumar Singh, Adv.
For the State : Sri Ajya Kumar, P.P.

17.03.2026

Apprehending their arrest in connection with Fesar P.S. Case No. 144 of 2025 instituted under Section 191(2), 191(3), 190, 115(2), 126(2), 109, 324(4), 352, 351(2) of the Bharatiya Nyaya Sanhita, 2023, petitioners have moved before this court for grant of privileges of anticipatory bail. A copy of the anticipatory bail petition has been served upon the learned P.P.

The briefly stated prosecution story is that on 11.11.2025 at 06.40, Lalan Singh, who was in inebriated state, abused the informant and tried to enter into her house. On being protested by her husband, other accused persons armed with lathi, danda, sword and iron rod came. In the meantime, Sintu Chandervanshi assaulted Rajkuar Yadav with an iron rod and caused injury over his head. Baban Chandervanshi assaulted over the head of Gauri Devi. Tapeswar Chandervanshi pelted stones over Lalita Devi causing injury over her back. It is further alleged that all the accused persons damaged motorcycle, tempo and asbestos by pelting stones and bricks.

Learned counsel for the petitioners has submitted that the petitioners

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are quite innocent and have been falsely implicated in this case. It is further submitted that both parties entered into an altercation due to casting of vote and thereafter, petitioners' side were brutally assaulted by the prosecution party for which Fesar P.S. Case No. 137/2025 and 143/2025 were lodged. Petitioners have no concern with the alleged offence. Petitioners are having no criminal antecedent. It is therefore prayed that the petitioners be released on anticipatory bail.

On the other hand, learned P.P. opposed the prayer for grant of anticipatory bail to the petitioners.

Heard learned counsel appearing on behalf of the petitioners and learned P.P. for the State.

From perusal of the F.I.R., it appears that that the incident took place on 11.11.2025 but the present F.I.R. is registered on dated 19.11.2025 without any reasonable explanation of delay. The court had earlier called for injury report report in this case but the prosecution has failed to submit the injury report and court cannot wait for indefinite period to submit the injury report in this case.

From perusal of an F.I.R. and the case diary, it appears that 14 accused persons have been made an accused in the present case and it is alleged against them that all accused persons by carrying lathi, sword and iron rod came at the house of informant and the petitioner no. 5 Sintu Chandrawanshi had injured to one Rajkumar Yadav by an iron rod over his head. Co-accused Baban Chandrawanshi had caused head injury to one Gauri Devi, who is the informant in this case and one Tapeswar Chandrawanshi had thrown the stone, by which Lalita Devi had sustained injury over her back. The accused persons further caused wrongful loss to the tune of Rs. one lakh and threatened to the informant of dire consequences. Except the aforesaid allegation, nothing specific has been alleged against rest of the accused persons. The present anticipatory bail petition bearing no. 331/2026, in which five petitioners have prayed for grant of anticipatory bail and out of them, there is specific allegation against one Sintu Chandrawanshi, who is alleged to have caused head injury to one Rajkumar Yadav by an iron rod.

During course of hearing, the learned counsel for the petitioners **wants to withdraw the anticipatory bail petition filed on behalf of Sintu Chandrawanshi. Hence, no order is passed regarding him.**

So far as, rest of the petitioners are concerned, there are general and omnibus allegation against them and none of the petitioners had caused any injury over the vital part of the body of informant or her family member. Apart from the fact that they are having clean antecedent. It is also mentioned in the anticipatory

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bail petition that regarding the same incident, three FIRs have been registered. One F.I.R. was registered by the police itself, second one was registered from the side of the petitioners and the present one is registered by the side of informant. Hence, considering the aforesaid observation, the anticipatory bail petition filed on behalf of four above named petitioners **Gaya Singh, Sushil Chanderwanshi, Vishal Chanderwanshi and Lallan Singh is hereby allowed.** It is directed to release the petitioners on bail in the event of their arrest or surrender before the learned court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount by each petitioners and to the satisfaction of the learned court below subject to the conditions as laid down u/s 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

Dictated

(Rajeev Ranjan Kumar)
Sessions Judge
Aurangabad (Bihar)