

IN THE COURT OF DISTRICT AND ADDITIONAL SESSIONS JUDGE-1st-CUM-
SPECIAL JUDGE (SC/ST, CHILDREN & NDPS ACT)
AURANGABAD (BIHAR)
Present: Vishwa Vibhuti Gupta, District & Additional Sessions Judge-1st-cum- Special Judge
(SC/ST, CHILDREN & NDPS ACT) Aurangabad, Bihar.

ANTICIPATORY BAIL APPLICATION NO. 1356 OF 2026
ARISING OUT OF GOH PS CASE NO. 58 OF 2026

Chandan Thakur @ Chandan Kumar, aged about 30 years, S/o-Kant Thakur, R/o village-Bhurkunda, PS-Goh District-Aurangabad(Bihar)

-- Petitioner
State of Bihar
Versus
-- Prosecution

Appearance:
Learned Counsel for the accused-petitioner
Learned Counsel for the State
- Shri Dharendra Kumar Singh, Ld. Advocate
-Shri Shakti Kumar Singh, Ld. Spl. PP

Order with signature of the Court

Dated 10.07.2026	The anticipatory bail preferred under Section 482(2) of the Bhartiya Nagrik Suraksha Sanhita (BNSS), 2023 on behalf of the accused-petitioner namely Chandan Thakur @ Chandan Kumar, who apprehends his arrest in connection with Goh PS Case No. 58/2026 under Sections-74 of the BNS and Sections 3 (1) (r) (s)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. The CD is available on the record. Upon being pressed the matter was heard. The informant is absent despite notice sent to him by the Ld. Spl. PP for the State. Today, the informant appeared with her attendance as well as power of attorney along with her learned counsel in the court. As per the written report of the informant-Renu Devi, the prosecution story in brief is that the informant had gone to natural call in the field, in the meantime, the accsued Chandan Thakur forcibly hold her hand, took her in the mustard field with intention to outrage her modesty. The informant somehow saved her modesty and fledaway from there. Hence, the FIR has been registered against the accsued person. The learned counsel for the accused-petitioner, reading out the contents of the F.I.R., has submitted that the petitioner is entirely innocent and he has committed no offence. No any bail petition has been filed on behalf of the accused-petitioner either before this court or any Court of law. He further submitted that the petitioner has falsely been implicated due to dirty village politics. As a matter of fact, a drainage dispute is running between the petitioner and informant for which the informant has lodged the present case against the petitioner. The petitioner is a barber and somehow he maintains his family members. The petitioner has no any criminal history. There is no chance of absconding the petitioner or tampering with the evidence. The petitioner is ready to fulfill all the conditions of Section 482(2) of the BNS. Hence, he prayed to enlarge the petitioner on anticipatory	
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Cont.... 10.07.2026	bail. Per-contra, the learned Public Prosecutor SC/ST has invited the attention of this Court with this case is well under the arena of provisions of SC/ST (POA) Act, 1985 as the victim is the member of the community of Scheduled Castes and it is well apparent from the F.I.R. that the petitioner forcibly hold the hand of informant and took her to mustard field to outrage the modesty of informant. It has been prayed, inviting the attention of the provision of sections 18 and 18 (A) of SC & ST (POA) Act has prayed to refuse the prayer. Heard and perused the case record as well as CD in total 23 paragraph till 27.02.2026. On perusal of para-2,6 and 7 of the case diary, the restatement of informant and statement of witnesses have been receoded by the IO therein the witnesses in their respective statements have supported the prosecuiton case. Moreover, chargesheet U/s- 74 of the BNS and Sections 3 (1) (r) (s)(w), 3(2)(va) of the SC/ST Act has been submitted against the accused-petitioner. In such circumstances, sections 18 and 18(A) of SC & ST (POA) Act comes into play which provides statutory bar on the maintainability of anticipatory bail petition. As such, the present anticipatory bail petition filed on behalf of the accused-petitioner Chandan Thakur @ Chandan Kumar is not maintainable and rejected accordingly being not maintainable. Dictated & Corrected by me. (Vishwa Vibhuti Gupta) District & Additional Sessions Judge-1st-cum- Special Judge (SC/ST, CHILDREN & NDPS Act) Aurangabad (Bihar) Dated: 10.07.2026	
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