

IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-VIII, BANKA

Anticipatory Bail Petition No. 567 of year 2026

(Arising out of Bounsi P.S. Case No. 45/26)

1. Lalu Das, s/o Janardan Das

2. Golu Das s/o Janardan Das

All R/o: Vill- Pabrampur , P.S.- Bounsi, Distt- Banka

..... Petitioners

Versus

The State of Bihar

..... Opposite Party

For the Petitioner's : Ld. Counsel Sri Kumod Kumar Gautam, Advocate

For the State : Ld. P.P. Sri. Prakash

Present: ATUL SINHA,

District & Additional Sessions Judge-VIII, Banka

Dated: 11.06.2026

1. By way of this order the Anticipatory Bail Petition u/s 482(2) of B.N.S.S., filed by the accused-petitioners, namely, **1.Lalu Das and 2.Golu Das** in connection with Bounsi P.S. Case No. 45/26, U/s – 126(2), 115(2), 109(1), 351(2), 352, 3(5) of B.N.S. of 2023. , is hereby disposed of.

2. The case of Prosecution in brief is that informant Rekha Kumari has given the written application before the S.H.O. of Bounsi on dated 22.02.2026, wherein it was mentioned by her that her brother-in-law Sumit Kumar Mandal was working in his field. At that time accused Lalu Das tried to stop him and started abusing him. When Sumit Kumar Mandal tried to stop him, the accused persons Lalu Das, Nirmal Das, Golu Das, Janaradan Das and Meera Devi gathered at that place. Accused Nirmal Das and Golu Das grabbed the neck of Sumit Kumar Mandal by means of a cloth (gamchi) and pulled him down. After seeing that the informant's husband Rajan Kumar came to save him but the accused person Lalu Das assaulted him by means of iron rod on his head resulting which he got injured. Hence, this F.I.R. has been lodged against the accused petitioner's, under section- 126(2), 115(2), 109(1), 351(2), 352, 3(5) of B.N.S. of 2023.

3. It was submitted by the Ld. Counsel for the accused-petitioner that no bail application has been filed earlier on behalf of the petitioners, either before this court or before the Hon'ble High Court, Patna in connection with this case.

4. It was further submitted on behalf of the accused petitioner that the petitioners are quite innocent and have committed no any offence. The petitioners have been falsely implicated in this case due to dirty village politics. The allegation brought agaisnt the petitioners are totally false, baseless and concocted. There is counter case of Bounsi P.S. Case No. 43/26 which has been filed by the petitioners homely Lalu Das against the informant and his family members. There is no criminal antecedent of the petitioners.

5. On the other hand, Learned Additional Public Prosecutor opposed the bail and submitted to reject the same.

6. The F.I.R. has been lodged against the accused petitioner's under section- 126(2), 115(2), 109(1), 351(2), 352, 3(5) of B.N.S. of 2023. The case-diary is attached with the instant Bail Petition, wherein, the re-statement of petitioner and statement of witnesses is mentioned in para-3, 8 and 9 of the case-diary. The reference of supervision note is given in para-17 of the case-diary. The reference of Injury Report of injureds is given by I.O. in para 36 and 37 of the case-diary.

7. Heard both sides and perused the case record including the F.I.R. and case diary. On perusal of the injury report, it reveals that the injuries allegedly sustained by the victims are simple in nature. There is no material on record to suggest that any grievous hurt or life-threatening trauma was inflicted. Furthermore, the prosecution story does not indicate any repeated or brutal assault by the petitioners. It is pertinent to note that the informant who lodged the written complaint is not an eye-witness to the alleged altercation. A glaring lacuna appears in the progress of the investigation, as the statement of the injureds has not yet been recorded by the I.O. till now. The dispute arose between the parties for the Patwan of potato in the field. The existence of a case and counter-case between the parties arising out of the very same occurrence, and the first case was instituted by the petitioner's side. With regard to the criminal antecedent, as mentioned in para 3 of the bail petition, the accused-petitioners have no criminal history.

8. Therefore, under the above-mentioned the facts and circumstances and taking into consideration the allegation and also taking into the factor that the injuries incurred to injureds are simple in nature, the accused-petitioner's, deserves the privilege of Pre-Arrest Bail at this juncture. Accordingly, the Anticipatory Bail Petition of accused Petitioner's namely **1.Lalu Das, and 2.Golu Das** are hereby **Allowed**. They are directed to be enlarged on bail in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of this order in the sum of Rs. 10,000/-with two sureties of like amount each to the satisfaction of learned court below with the condition that, one of the bailor must be blood relative or co-villager and also as per the conditions laid down in section 482(3) B.N.S.S., 2023. Petitioners shall also undertake that they will fully co-operate in the trial.

9. The observation made in the present bail petition order are for purpose of deciding the present petition and do not affect the factual matrix of investigation / trial of the present case, which is separate issue as per law.

10. O/c is directed to send a copy of this order to the concerned Court for needful at once.

S/d-
**District & Additional Sessions, Judge-VIII,
Banka**

Memo No.-.....Dt.-.....

Copy Forwarded to the Court of Chief Judicial Magistrate, Banka for information and needfull.

**District & Additional Sessions, Judge-VIII,
Banka**

Date of Judgment/Order	11.06.2026
Date of Reserving Judgment/Order	11.06.2026
Uploading Date	11.06.2026
Uploaded by	Malay Kumar Maurya, Stenographer

D.A.S.J-VIII, Banka