

IN THE COURT OF ADDITIONAL SESSIONS JUDGE- I-CUM- Spl. Judge
S.C/S.T (P.O.A) Act, BANKA
A.B.P. Case no. 935 of 2026
CIS Reg. No.- 935/2026

In the matter of
Niranjan Choudhary and others.....Accused/Petitioner,
versus
State of Bihar.....Opposite Party

F.I.R-Dhoraiya P.S. case no.-163/2026,

Offence u/s- 191(2), 191(3), 190, 109, 127(2), 303(2), 352, 351(2) of B.N.S.

For Petitioners- Sri Ram Kishore Yadav, Learned Advocate, Civil Court, Banka

For the state- Sri Subodh Kumar Mishra, Learned A.P.P., Banka

Present- Kumar Amit Manu

A.S.J-I-cum-Spl. Judge

S.C/S.T. Act Banka

17.08.2026 This anticipatory bail petition has been filed under section 438 of Cr.P.C. on behalf of accused persons namely **1. Niranjan Choudhary, 2.Fulki Devi and 3. Kesho Choudhary @ Krishna Deo**, who are apprehending their arrest in connection with Dhoraiya P.S. case no.- 163/2026, registered under sections 191(2), 191(3), 190, 109, 127(2), 303(2), 352, 351(2) of B.N.S.

The prosecution case, as per the FIR, in brief is that on 10.06.2026 at about 11:00 AM the informant Pappu Choudhary was having food at his house and in the meantime accused persons namely Niranjan Choudhary, Bajrangi Choudhary, Anjan Choudhary, Chhotu Choudhary, Kesho Choudhary, Tetar Choudhary, Sukari Devi, Fulki Devi, Reshma Devi, Jasiya Devi, Priyanka Kumari altogether came at the house of the informant and started to abuse the wife of the informant namely Manju Devi and started creating a ruckus. When the informant came out of house and asked them not to abuse, then all accused persons surrounded them and started assaulting with fists, kicks and sticks. During the assault Niranjan Choudhary assaulted the informant on his head with iron rod, causing it to bleed and injury. Kesho Choudhary assaulted his wife on her head with a shovel, injuring her nose and forcefully snatched a four tola gold chain from her neck. Thereafter accused persons fled away from there after threatening them.

Heard learned counsel Sri Ram Kishore Yadav appearing on behalf of the petitioner and learned A.P.P. Sri Subodh Kumar Mishra appearing on behalf of the state.

The learned counsel of the petitioner has submitted that the petitioners are quite innocent and have not committed any offence as alleged in the FIR and petitioners are falsely been implicated in this case due to previous enmity between the parties and also save the skin from the FIR lodged by Rita Devi @ Fulki Devi against the informant and other which bears Dhoraiya P.S. case no. 166/26, u/s 191(2), 191(3), 115(2), 127(2), 118, 110, 303(2)352, 351(2) of B.N.S. It is further stated that all the section barring section 109(1) and 303(2) of B.N.S. are bailable, and these sections are purposely been added in this case only with a view to make this case non bailable and grievous. There is case and

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continue..

17.08.2026 counter case between the parties. The petitioners have clean antecedent and the petitioners are men and woman of means and there is no chance of their absconding, if released on anticipatory bail. Accordingly, it has been prayed to allow the said anticipatory bail petition.

On the other hand, The learned A.P.P. for the state has vehemently opposes the prayer for bail.

Heard both the parties and perused the case diary. From perusal of case record, it transpires that there is specific allegation of assault against petitioner no.1 Niranjan Choudhary and petitioner no. 3 Kesho Choudhary on vital part of body. Injury to Manju Devi, mentioned in para 116 of the case diary, shows mild displaced fracture. In view of injury to vital part of body and specific allegation of assault attributed to these petitioners, I am not inclined to grant the petitioners no. 1 and 3 privilege of anticipatory bail. Accordingly, the anticipatory bail petition of petitioners no. **1. Niranjan Choudhary, and 3. Kesho Choudhary @ Krishna Deo**, stands **rejected**.

However, the case of **petitioner no. 2. Fulki Devi**, is at different footing as there is no specific allegation of assault attributed against her. As per para 75 of the case diary the petitioner has clean antecedent. Considering the aforesaid facts and circumstances, the petitioner no. 2 has carved out a case of grant of anticipatory bail. Thus, this court is inclined to grant the privilege of anticipatory bail to the petitioner no.2 namely Fulki Devi, hence anticipatory bail petition of the aforesaid accused petitioner is allowed on furnishing bail bond of Rs. 10,000/- with two sureties of like amount to the satisfaction of the Ld. Trial Court/Jurisdiction of Court. Petitioner is directed to surrender before the Ld. Trial Court/ Jurisdiction of Court within four weeks from the date of this order.

Sd/-
(Kumar Amit Manu)
A.S.J.-I-cum-Spl. Judge
S.C./ S.T. (P.O.A) Act ,Banka
Date-17.08.2026

Memo No..... Dated.....
Office of .A.S.J-I, Banka
Copy Forwarded to the Ld. Court of A.C.JM.-I, Banka,
for kind information and needful.

A.S.J.-I
Banka