

In the court of Addl. Sessions Judge XIX, Bhagalpur

A.B.P. No.-547/2026

(Arising out of Jagdishpur P.S. Case No.-20/2026)

Name of P.O.- Khushboo Shrivastava

DASJ-XIX, Bhagalpur

Manorma Devi & others versus State of Bihar

Ld. Counsel on behalf of petitioners----- Sri. Anil Kumar

Ld. Addl. P.P. on behalf of state-----Sri. Biresh Prasad Mishra

ORDER

12-06-2026 1. Anticipatory Bail petition filed on behalf of petitioners **1. Manorma Devi**, aged-42 years, w/o- Sanjay Sah, **2. Sunny Kumar**, aged 23 years s/o Sanjay Kumar, **3. Guddu Sah**, aged 49 years, s/o- Late Buteswar Sah, **4. Mamta Devi**, aged-34 years, w/o- Pankaj Sah, **5. Laxmi Devi**, aged 37 years, w/o- Guddu Sah, **6. Pankaj Sah @ Pinku Sah** aged-30 years, s/o- Late Buteswar Sah and **7. Sanjay Sah**, aged-46 years, s/o- Late Buteswar Sah who are apprehending their arrest in connection with Jagdishpur P.S Case No.-20/2026 u/s 126(2), 115(2), 74, 352, 351(2), 351(3), 3(5) of BNS is put up for hearing to-day. Copy of petition has already been served to learned Addl. P.P. on behalf of State.

Heard learned counsel on behalf of accused petitioners as well as learned Addl. P.P. on behalf of State.

2. Brief case of prosecution is that informant Kiran Devi has filed application before SHO Jogsar Police station and stated that on dt. 19.01.2026 at about 08:30, when her sister-in-law Soni Devi went to see wall then Pankaj Sah @ Piku Sah told her not to come to this street. Sister-in-law of informant said, she left her land and she will come and go. Pankaj Sah started abusing. On protest, Mamta Devi, Manorama Devi, Lakshmi Devi came and dragged hair of her sister-in-law and laid down and started assaulting. On noise, informant and cousin Aarti Devi and brother-in-law Saju Sah came to save her then Sanjay Sah, Pankaj Sah, Guddu Sah, Sunny Kumar came and abused and assaulted on head of her sister-in-law with lathi. Due to which she laid down on ground and being unconscious. In the meantime, Pankaj Sah snatched gold chakti from her neck. On noise, all accused persons ran away towards their house. On that basis FIR Jogsar P.S. Case No. 20/26 has been registered.

3. It is submitted on behalf of learned counsel for petitioners that petitioners have not filed any anticipatory or regular bail petition earlier before this court or before the Hon'ble High Court, Patna. Petitioners have no criminal antecedent. Petitioners are innocent and they have committed no offence. Due to dirty village politics they have been made accused in this case. Alleged sections areailable except section 74 of BNS and allegations are ornamental. Petitioner and informant are own neighbor. Petitioners have been made accused falsely. Petitioners have not participated in incident. So prayed to enlarge petitioners privilege of anticipatory bail.

4. Learned Addl. P.P. has opposed prayer for anticipatory bail of petitioners.

5. Heard both sides and perused materials available on record. From perusal of case record and case diary it is found that present FIR Jagdishpur P.S. Case No.-20/26 has been registered u/s 126(2), 115(2), 74, 303(2), 352, 351(2), 351(3), 3(5) of BNS against petitioners. After completion of investigation charge sheet has been submitted on behalf of prosecutions and ld. Trial court has taken cognizance u/s

126(2), 115(2), 74, 352, 351(2), 351(3), 3(5) of BNS against petitioners. From perusal of case record and case diary it is further found that informant and other witnesses have supported case of prosecution. At para-14 of case diary, injury report of injured namely, Soni Devi is mentioned in which injuries mentioned are *Abrasion on left forehead over wrist joint of size ¼” X ¼” X superficial skin. * Pain in lower abd. * Pain in left upper Arm. NCCT of Brain shows- No bony/parenchymal lesion seen. X-ray both elbow shows- No bony fracture. Nature of injury simple in nature caused by hard and blunt substance. At para-22 of case diary, It is mentioned that notice under section 35 of B.N.S.S. has been given to petitioners. There is dispute of way. Alleged sections are triable by magistrate.

Therefore, considering aforesaid facts and circumstances of the case as discussed above, prayer for anticipatory bail of petitioners is allowed. Petitioners are directed to be released on bail in the event of their arrest or surrender before concerned learned court on furnishing bail bonds of Rs. 10,000/- with two sureties of like amount each to the satisfaction of learned court within a period of 15 days of the receipt of this order, subject to condition as laid down under section 482(2) of BNSS and with further conditions that

- 1. One of bailor will be close relative of petitioners.**
- 2. Petitioners will file an undertaking with bail bond that they will be present physically on each and every date till framing of charge.**
- 3. Petitioners will also file undertaking with bail bond that they will cooperate in trial.**
- 4. If at any stage it is found that petitioners have criminal antecedent then prosecution has liberty to pray for cancellation of their bail.**
- 5. Petitioners will mention their mobile no./Email Id. in undertaking filed with bail bond with direction that they will not change the same till disposal of present case.**

Accordingly, anticipatory bail petition filed on behalf of petitioners is hereby allowed.

Dictated
sd/-
Addl. Sessions Judge XIX,
Bhagalpur
12-06-2026

Memo no.-----dated.....

Copy forwarded to Shri Prashant Tripathi, JMFC, Bhagalpur for information and necessary action in connection with Jagdishpur P.S. Case No- 20/2026.

sd/-
Addl. Sessions Judge XIX,
Bhagalpur
12-06-2026

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| Date of Judgment/Order | 12-06-2026 |
| Date of Reserving Judgment/Order | N/A |
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