

Present: Jyoti Kumar Kashyap, DASJ-XI, Bhagalpur

ABP No. 762/2026

Habibpur P.S. Case No. 224/2025

State Vs. Bittu Kumar & others

Dated:- 24-07-2026

In the Court of District & Additional Sessions Judge-XI, Bhagalpur

(Anticipatory Bail Petition No.- 762/2026)

(In connection with Habibpur P. S. Case No. 224/2025)

In the matter of :

1. Bittu Kumar, aged about 29 years, S/o Nand Lal Paswan.
2. Bisal Kumar, aged about 25 years, S/o Nand Lal Paswan.
3. Prince Kumar, aged about 27 years, S/o Arvind Paswan.
4. Vikram Kumar, aged about 30 years, S/o Ashok Paswan.

All resident of village- Daujghat, Sahjampur, Ward No. 2 Near Middle School, P.S.- Habibpur,
District- Bhagalpur ----- Petitioners.

Versus

The State of Bihar

Respondent/State

Crl. Antecedent: 01 (as per para 21 of the case diary)

Counsel for the petitioners :- Mr. Anjani Kumar, Ld. Advocate.

Counsel for the Respondent/State :- Mr. Rajendra Choudhary, Ld. A. P. P.

24-07-2026

1. This is an application for grant of anticipatory bail U/s 482 BNSS 2023 (corresponding to section 438 Cr.P.C), filed on behalf of above-named accused-petitioners, who apprehending their arrest in connection with Habibpur P.S. Case No. 224/2025, punishable for the offences U/s 126(2), 115(2), 303(2), 308(3), 352, 351(2), 351(3) of BNS.

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

3. Learned counsel for the accused-petitioners has filed necessary certificate in para-02 of the bail petition stating therein that earlier no anticipatory or regular bail has been filed either before the court of learned Sessions Judge or before the Hon'ble High Court, Patna. Petition no. 4 has got one criminal antecedent i.e. Habibpur P.S. Case No. 61/2025 as mentioned in para 21 of case diary.

4. The learned counsel for the petitioners submitted that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case due to land dispute. Entire allegation against the petitioners is false and concocted. The alleged sections are not at all applicable against the petitioners. There is no specific allegation against the petitioners rather the allegation against them is general and omnibus in nature. It is further submitted that no money has been delivered to the accused persons in lieu of demand. The learned counsel for the petitioner referred para 14 & 15 of the case diary and submitted that no independent witnesses have supported the fact that the accused persons looted articles of Rs. 2 lac from the place of occurrence. Earlier, co-accused Aakashdeep Paswan has been granted anticipatory bail by this court vide order dated 20-02-2026 passed in A.B.P. No. 309/2026 and the case of petitioners stands on similar footing. The petitioners undertake to abide by all the terms and conditions as may be imposed by this Hon'ble Court under Section 482(2) of the B.N.S. The petitioners is ready and willing to furnish sufficient sureties to the satisfaction of this Hon'ble Court.

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5. On the other hand, the Ld. A.P.P opposed the prayer for anticipatory bail of petitioners.

6. Prosecution case as stated in the First Information Report is that the informant Amardeep Kumar purchased a land of 3600 Square Feet in the year 2007. The boundary work and earth filling work on this land was done in 2007 with the consent and supervision of the seller. On 14-12-2005, the informant dumping sand, cement and bricks for construction of the said land and in course thereof the accused persons named in the FIR including petitioners came there as a part of conspiracy and stopped the construction work. They said that firstly deposit Rs. 10 lakh, only then he would be allowed to build. The accused persons assaulted the informant and his labours and driven away. Again, on next day, he found that the criminal had looted cement, sand, bricks and rods with same night and attempted to illegally possess the land. The accused persons threatened him with dire consequences. It is also alleged that goods worth Rs. 2 lacs were looted and they demanded the remaining Rs. 8 lacs, saying they would allow him to build the house only if he paid the money. Earlier, he had been threatened by these criminals and he reported to the police station. In present, both his land & life are in danger. All of the above criminals are land Mafia and extort money from the locality.

7. Having heard learned counsels for both the parties and perused the case record as well as case diary, it transpires that an FIR has been registered U/s 126(2), 115(2), 303(2), 308(3), 352, 351(2), 351(3) of BNS against the accused persons including petitioners. The main allegation against the petitioners is that they along with other co-accused persons stopped the construction work of informant and demanded Rs. 10 lacs as ransom, if he wants to do construction. The accused persons assaulted the informant as well as his labour and also driven away and they took out the goods of worth Rs. 2 lacs and demanded remaining Rs. 8 lacs for construction of building. There is no specific allegation against the petitioners rather the allegation against them is general and omnibus in nature. In pursuance of demand, no money has been delivered to the accused persons. As per para 14 & 15 of the case diary, it transpires that no independent witnesses have supported the fact that the accused persons looted articles of Rs. 2 lac from the place of occurrence. As per para 21 of the case diary, petitioner no. 4 bears one criminal antecedent whereas rest petitioners have got no criminal history (vide para 24 of the case diary). Earlier, co-accused Aakashdeep Paswan has been granted anticipatory bail by this court vide order dated 20-02-2026 passed in A.B.P. No. 309/2026 and the case of petitioners stands on similar footing. The offences for which instant FIR has been lodged are punishable with imprisonment for less than seven years of imprisonment. The petitioners are ready to abide all the conditions of the court.

8. Having considered the aforesaid facts and circumstances of the case, the nature of allegations, the role played by the petitioners and readiness to abide conditions of the court, this court is of the opinion that the petitioners deserve the anticipatory bail. Hence, the prayer for anticipatory bail of the petitioners is hereby allowed. The **above-named petitioners are directed to surrender before the Trial Court** within a period of four weeks from the date of receiving of the copy of the said order and in the event of arrest or surrender before the Trial Court, be released on anticipatory bail on furnishing bail

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bonds of Rs. 10,000/- (Rupees ten thousand) each with two sureties of like amount each to the satisfaction of Trial Court subject to the following conditions: 1. The petitioners and their bailors shall give their mobile numbers and Email Id, if any at the time of executing the bail bonds; 2. The petitioners shall co-operate in the investigation/trial of the case; 3. The petitioners shall not tamper with evidence or intimidate any witness directly or indirectly; 4. The petitioners shall not commit such type of offence of similar nature including demanding ransom money to the informant or anybody else in future; 5. In case of disclosure of any criminal antecedent except one prior case of petitioner no. 4, the bail bond of petitioners shall be cancelled; 6. The petitioners shall remain physically present before the concerned police station in the first week of each month, till conclusion of investigation; 7. Petitioners shall remain vigilant and physically present before the Trial Court on each and every date fixed in this case till disposal of the case, failing to remain present on two consecutive dates without sufficient reason, the bail bond shall be cancelled and; 8. The prosecution/informant shall be at liberty to move for cancellation of bail if any of the above conditions are violated.

(Dictated and corrected by me)

Sd/-

District & Additional Sessions Judge-XI

Bhagalpur

Dated 24-07-2026

Date of Judgment/Order	24-07-2026
Date of Reserving Judgment/Order	N.A.
Uploading Date	25-07-2026
Uploaded by	Kavita Jha (Steno)