

IN THE COURT OF SRI DEEPAK KUMAR-I, ADDITIONAL SESSIONS JUDGE- II, BHAGALPUR

Anticipatory Bail Petition No. 801/2026

(Arising out of **Kahalgaon P.S. Case No. 130/2026**)

U/s 126 (2), 115 (2), 109, 351 (2), 352, 3 (5) BNS.

1. Sourav @ Suman @ Aman Kumar, age 25 years,

2. Gaurav Kumar, age 28 years,

3. Gautam Kumar, age 32 years, all sons of Jogindra Mandal @ Yogendra Prasad Mandal

4. Ranjeet Kumar, age 26 years, S/o Bilash Mandal

5. Arun Kumar, age 22 years, S/o Rajendra Mandal

.....**Petitioners**

Versus

The State of Bihar

.....**Opp. Party**

For the Petitioner/s : Mr. Dara Roy, Ld. Advocate.

For the State : Mr. Kashi Nath Mishra, Ld. A.P.P.

Date of order	Order with signature of the court
1	2
21-05-2026	This is a petition filed on behalf of the above named accused-petitioners for grant of anticipatory bail who apprehension their arrest in connection with Kahalgaon P.S. Case No. 130/2026 for offences punishable U/s 126 (2), 115 (2), 109, 351 (2), 352, 3 (5) BNS. On behalf of the petitioners a certificate has been given in bail petition that earlier no anticipatory or regular bail petition has been filed on her behalf either before the Court of the Ld. Principal Sessions Judge, Bhagalpur or before the Hon'ble High Court, Patna. In para-3 of bail petition, accused-petitioners have given certificate that petitioner No. 3 Gautam Kumar has one criminal antecedent bearing Kahalgaon P.S. Case No. 36/2023 U/s 341, 323, 324, 354B, 379, 448, 506, 34 IPC in which he is on bail and rest petitioners have no criminal antecedents. Prosecution case as per FIR of informant Kaushyla Devi, in brief, is that on 30.03.2026 at about 07:30 p.m. all FIR named accused-persons including these accused-petitioners altogether having with lathi, danda came and started abusing and Amar Kumar told that Laxman Kumar has abducted Bijali Kumari, out him from home otherwise killed the informant and whole family members. On objection, scuffle took place and Ravi Kumar came to rescue them then all FIR named accused-persons with intention to kill assaulted upon his head and body. Thereafter, Ranjit Kumar broken the head of Laxman Kumar and Ravi Kumar became unconscious on the spot. Hence, this FIR is lodged. The learned counsel for the petitioners submitted that the petitioners are innocent and have committed no offence and have falsely been implicated in this case. It has further been submitted that save and except section 109 BNS, rest sections are bailable in nature and said section is not made out against the accused-petitioners and petitioners have neither abused nor assaulted, neither the informant nor informant son Laxman Kumar nor her nephew Ravi Kumar as alleged in the FIR and allegation of assault by means of Khanti is against Ravi Kumar. Further, submitted that the real fact is that on the alleged date informant's son Lxman Kumar kidnapped the cousin sister of petitioners namely Bijli

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Contd...P/2 21-05-2026	Kumari who is minor girl age 17 years for which complain to informant and her husband Brajesh Sharma on which Brajesh Sharma and his family members alongwith informant became angry and assaulted to petitioners as well as brothers of Bijli Kumari namely Amar Kumar and Manish Kumar for which mother of Bijli Kumari, who is the auntie of petitioner namely Kanchan Devi lodged a case bearing Kahalgaon P.S. Case No. 133/26 U/s 76, 109 BNS against the prosecution party alongwith informant and informant to save the skin from the case lodged by Kanchan Devi falsely lodged the present case with the allegation of assault which is completely false and concocted and doctor has not found any injury and only Marpit is happened there is delay of two days in lodging the FIR and matter in dispute has been compromised between the parties and good relation restored between them. On such basis, it has been prayed that petitioners be enlarged on anticipatory bail. On the other hand, learned Additional Public Prosecutor for the State opposed the prayer for anticipatory bail of the petitioners. Heard both the parties. Perused the case record as well as case diary and on perusal the same it transpires that there are allegations against these accused-petitioners that they alongwith other co-accused persons assaulted the informant and others by which Laxman Kumar and Ravi Kumar got injured. But on perusal of injury report of injured persons the doctor has opined that nature of injures are simple in nature caused by hard and blunt object. Further, there is also case and counter case between both the parties and a compromise petition is available on case record which shows that matter has been compromised in between both the parties. Para-21 of the case diary reveals that accused-petitioners have no criminal antecedents. In the above said facts and circumstances, the prayer of the anticipatory bail of the petitioners is allowed and directed to release on anticipatory bail within 30 days of this order after filing of bail bond of Rs. 10,000/- each with two sureties of like amount each to the satisfaction of learned Trial Court with condition laid down U/S 482 (2) BNSS. Sd/- Additional Sessions Judge-II Bhagalpur
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