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**Court of Sessions Judge, Darbhanga.**

**Present;- Shri Shiv Gopal Mishra, Sessions Judge, Darbhanga.  
A.B.P.No. 339 of 2026 (Kundan Kumar Sah and Ors. Vs. State of Bihar)**

**In the Court of Sessions Judge, Darbhanga, Bihar.**

**A.B.P. No.- 339/2026**

**In the matter of :-**

**1. Kundan Kumar Sah son of Late Ram Sebak Sah  
2. Niranjan Sah son of Late Ram Sebak Sah  
3. Nand Kishore Sah son of Late Ram Sebak Sah  
4. Raja Ram Sah son of Yogindar Sah -----Petitioners.**

**Vrs.**

**The State of Bihar -----Opposite Party.**

**Learned counsel for the petitioners : Shri Pawan Kr. Chaudhary, Advocate.**

**Learned counsel for Opp.Party : Shri Amrendra Narayan Jha, P.P.**

**ORDER**

**03. 10.03.2026.** Heard the learned counsel for petitioners as well as learned P.P. for the state on the anticipatory bail petition filed on behalf of above named petitioners, who are apprehending their arrest in connection with Simri P.S. Case No. 128/2025 for offence U/Ss 126(1), 115(2), 303(2), 308(3), 324(2), 352, 351(2), 110 and 3(5) of the B.N.S.

As per FIR, prosecution case in short is that informant opened a small shop at his own house. It is further alleged that on 26.04.2025 at about 08 PM, when the informant was sitting at his shop and in the meantime, informant's villagers namely Kundan Kumar Sah, came at the shop of the informant in intoxicated state and started demanding of cigarettes, gutkha and Rs. 1,000/- as extortion. It is further alleged that when the informant protested then accused Kundan Kumar Sah started abusing and forcibly snatched cigarette and gutkha from the shop. It is further alleged that when the informant protested then accused person vandalized and destroyed all the goods in the shop. It is further alleged that accused-petitioner Kundan Kumar Sah and his family members namely Nand Kishore Sah, Niranjan Sah, Kundan Sah came at the shop of the informant duly armed with farsa, iron rod, garansa. It is further alleged that accused petitioner Kundan Kumar Sah duly armed with iron rod gave blow over the head of the informant due to which informant sustained head injury, blood was oozing out and got fainted. It is further alleged that when the brother of the informant came to save him then accused persons also assaulted him with lathi, danda and iron rod and got injured. Later on,

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nearby people gathered and took the informant to the PHC Singhwara for better treatment.

Learned counsel for the petitioners submitted that the petitioners are innocent and they have committed no offence. It is further submitted that the petitioners have been falsely implicated in this case. He further submitted that no such occurrence took place as alleged by the informant. He further submitted that the petitioners and the informant are close neighbour. He further submitted that all the offences are bailable except the offence u/s 110 of the BNS, which is not attracted against the accused petitioners. He further submitted that investigation of the case is completed and charge sheet has been submitted in this case. The accused petitioners have no criminal antecedent. It is, therefore, prayed to enlarge the petitioners on anticipatory bail.

The learned Public Prosecutor opposed the prayer for bail.

Heard the parties and perused the record. From perusal of the FIR it is alleged against accused petitioners that they abused and assaulted to the informant and his brother namely Pankaj Kumar with lathi, iron rod and khanti. The doctor has found only simple injury over the person of injured Arvind Kumar and Pankaj Kumar. The investigation of the case is completed and charge sheet has been submitted in this case. It is stated by the accused petitioners that they have no criminal antecedent.

Considering the above facts and circumstances discussed above the instant petition for anticipatory bail of petitioners is allowed and it is ordered that in the event of arrest or surrender before the court below within a period of fortnight from the receipt of this order, the petitioners will be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below subject to the condition under the provision of section 482(2) B.N.S.S.

(Dictated)

(Shiv Gopal Mishra)  
Sessions Judge,  
Darbhanga.  
10.03.2026.