

In the Court of Additional Sessions Judge - I, Darbhanga

Present : Neeraj Kumar - II, BHJS, BR00552

ABP No. 595/2026

(Arising out of Kotwali P.S. Case No. 26/2026)

Kundan Sah Versus the State of Bihar

Kundan Sah, Aged about 25 years, S/o Ram Babu Sah, R/o Mohalla - Madarpur, P.S. - Laheriasarai, District - Darbhanga

----- Petitioner

versus

State of Bihar

----- Opposite Party

Appearance(s):

Counsel for the Petitioner(s) : Sri Fulendra Sah, Learned Advocate.

Counsel for the State : Sri A. N. Jha, Learned Public Prosecutor.

ORDER

27.05.2026

1. The petitioner above named sought anticipatory bail in connection with Kotwali P.S. Case No 26/2026 registered for the offences under Section 126(2), 115(2), 118(1), 109(1), 309(4), 351(2), 352, 3(5) of the Bhartiya Nyay Sanhita (hereinafter referred to as 'BNS' for short).
2. Learned counsel appearing on behalf of the petitioner submitted that he was innocent and had not committed any offence. It was further submitted that petitioner had not filed bail petition of any sort earlier this court or either before any superior court. It was further submitted that the petitioner had a case in Laheriasarai PS Case No. 101/18 in which the petitioner is on bail. It was also submitted that the entire allegations against the petitioner are false and concocted. It was further submitted that the petitioner had been falsely implicated in this case due to previous enmity. It was also submitted that the real fact was the petitioner has no any concern with the other co-accused's land in question was the ancestral property of the petitioner and the informant hatch up a plan and filed this false case. It was also submitted that there was no any positive evidence against the petitioner to implicate in this false case and there was no specific allegation against the petitioner. It was submitted that the petitioner was ready to abide by the condition(s) imposed upon him by the learned court. The learned counsel prayed for grant of anticipatory bail to the petitioner.
3. Learned Public Prosecutor opposed the petition and prayed to reject it.
4. Heard both the sides, perused the case record and the case diary.
5. The prosecution case according to FIR in brief is that the informant's friends Shiv Shankar was going to the market. The petitioner along with other accused persons snatched Shiv Shankar mobile set and cash Rs. 500/- on 26.02.2026. On next day the petitioner along with other accused persons came to Shiv Shankar house in the morning and assaulted him with the pistol and going away threatening to kill him.

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Again at 9:00 pm when Shiv along with his friends was going, Ravi hit him with a dagger and injured Shiv Shankar.

6. The victim in his statement u/s 180 of the BNSS Para 27 of the case diary has not specifically imputed the petitioner of either snatching his mobile, cash or to assault him in any manner on both the dates of alleged incident in contrast to what was stated in the FIR. The victim has not even named the petitioner in his statement.
7. In the facts and circumstances as discussed above, the instant anticipatory bail petition filed on behalf of the petitioners namely **Kundan Sah** is hereby **allowed**. In the event of arrest or surrender by the petitioners within 21 (Twenty One) days of receipt/production of this order, they are directed to be released on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Learned Jurisdictional Court concerned with an undertaking as stipulated under Section 482(2) of the BNSS.
8. It is made clear that this order has no bearing on the merits of the case.
9. Let a copy of this order be sent to the concerned Jurisdictional Court.
10. Let this case record be deposited in the Record Room, Civil Court, Darbhanga after all due diligence.

(Neeraj Kumar - II)
Addl. Sessions Judge-I
Darbhanga
27.05.2026

Date of Order	
Date of Reserving Order	
Uploading Date	
Uploaded by	