

In the Court of Sessions Judge, Darbhanga.**A.B.P. No. 828/2026**

1.Kumari Rashmi wife of Saroj Kumar Choudhary
 2.Saroj Kumar Chaudhary son of Late Jagdev Choudhary
 3.Ajit Kumar Jha son of Rishi Kumar Jha @ Nakul JhaPetitioners.
 Versus

The State of Bihar..... Opposite Party.

For the petitioners: Shri Binod Thakur ,Learned Advocate.

For the O.P.(State): Shri. A.N. Jha, Learned Public Prosecutor.

ORDER

08.06-2026: Application for anticipatory bail has been filed on behalf of the petitioners namely **1. Kumari Rashmi, 2. Saroj Kumar Chaudhary, 3. Ajit Kumar Jha** who are apprehending their arrest in connection with Ashok Paper Mill P.S. Case No. 76/2026 for the offences U/ss. 115(2), 126(2), 76, 117 (2), 352, 351 (2), 3 (5) of the BNS, pressed today.

2. Heard the learned counsel for the petitioners and the learned Public Prosecutor for the State.

3. The allegation is that on the alleged date of occurrence of 11.05.2026, while the informant went to village Natiyahi under the Baheri Police Station to meet his niece (Bhanji), meanwhile, accused Triloki Kumar and Dinesh Yadav surrounded him and started assaulting him by iron rod causing injury on head where the informant sustained injuries and fell down going unconscious and thereafter, dial 112 of police was called and he was carried to Baheri Primary Health Centre for treatment where he was referred to D.M.C.H for further opinion and treatment, leading to the institution of the present case.

4. It is submitted on behalf of the petitioners that the petitioners are quite innocent, have committed no offence and have falsely been implicated in this case. It has further been submitted that no occurrence has alleged in the First Information Report has ever taken place, rather, the actual state of affairs is that the present case is counter-blast of Ashok Paper Mill P.S Case No. 75 of 2026 instituted at the behest of Kumari Rashmi daughter of petitioner no. 2 and only to save skin from the above noted case, the present case has been instituted with malafide intention. The further submission is that the whole allegation of attempt to outrage the modesty of the offences are bailable except the offence under Section 76 of BNS which is not attracted. The further submission is that there is inordinate delay in filing is that even if the allegation is accepted for a moment as gospel truth, there is no allegation of

In the Court of Sessions Judge, Darbhanga.**A.B.P. No. 828/2026**

repetition of blow alleged against the petitioners since the injured has sustained only one injury and by this way, the offence under Section 109 (1) of BNS is not attracted in want of constituting ingredients. The further submission is that the petitioners carry clean antecedent. Hence, petitioners may be granted the privilege of anticipatory bail.

5. On the other hand, the learned Public Prosecutor opposes the prayer for anticipatory bail.

6. Heard and perused the case diary. Para no. 2 of the case diary reflects the re-statement of the informant supporting the occurrence. Para no. 5 of the case diary reflects the description of place of occurrence which appears situated in village Horalpatti. Para no. 6 and 7 of the case diary reflects the statement of witnesses supporting the occurrence. The injury report of Punam Devi reflects bruises injury like scratch and bodyache. It appears over her body, simple in nature. The injury report of Kajal Kumari reflects body pain, simple in nature. Para No.20 of the case diary reflects clean antecedent of the petitioners.

7. Under the facts and circumstances of the present case, the nature of allegation coupled with case and counter case between the parties, the prayer for anticipatory bail of the petitioners stands **allowed**. Accordingly, in the event of their arrest or surrender before the learned court below within four weeks from the date of receipt of this order, let the petitioners namely **1. Kumari Rashmi, 2. Saroj Kumar Chaudhary, 3. Ajit Kumar Jha** be released on bail on furnishing bail bond of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount to the satisfaction of the Court of Shri Sudhanshu Ranjan Singh, JMFC, Darbhanga subject to conditions as laid down u/s 482(2) of the Bharatiya Nagrik Suraksha Sanhita

Dictated

(Ajay Kumar Sharma)
Sessions Judge, Darbhanga.
22-06-2026.