

In the Court of Sessions Judge, Darbhanga.**A.B.P. No. 869/2026**

1. Anita Devi wife of Late Suresh Das

2. Ajay Das @ Ajay Kuamr Das son of Late Suresh Das

3. Chandan Kumar Das son of Late Suresh Das

4. Bittu Das @ Bittu son of late Suresh Das

All R/o Village- Ratanpura, PS- Ashok Paper Mill , District-Darbhangha

.....Petitioners.

Versus

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

For the petitioners: Shri Ram Udit Jha ,Learned Advocate.

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

ORDER

09.06-2026: Application for anticipatory bail has been filed on behalf of the petitioners namely **1. Anita Devi, 2. Ajay Das @ Ajay Kumar Das, 3. Chandan Kuamr Das and 4. Bittu Das @ Bittu Kumar Das**, who are apprehending their arrest in connection with Ashok Paper Mill P.S. Case No. 47/2026 for the offences U/ss. 115(2), 126(2), 303(2), 109(1), 351(2), 352 and 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 21-03-2026 at 5.30 PM accused Chandan Kuamr Das, Bittu Das, Ajay Das, Chhotu Kuamr Das, Anita Devi obstructed the way of informant and on protest made by the informant they started abusing and assaulted her and when informant's son Rohan Kumar came to save her, accused Chandan Kumar assaulted Rohan Kumar with iron rod, due to which he sustained injury on his head and fell down on the ground. It is alleged that accused Ajay took away Rs.2000/- from the pocket of Rohan and accused Anita Devi snatched golden chain from the neck of the informant. The injured were carried to D.M.C.H for treatment, leading to the institution of the present case.

3. 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. The further submission is that no occurrence has alleged in the First Information Report has ever taken place rather, the present case is counter blast

In the Court of Sessions Judge, Darbhanga.
A.B.P. No. 869/2026

of Complaint case no. 311 of 2026 filed by petitioner no.1 Anit Devi and the informant in order to pressurize the petitioners and others filed the present case. The further submission is that even if the allegation is accepted for a moment as gospel truth, there is no allegation of 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 Ratanpura. Para no. 6 and 8 of the case diary reflects the statement of witnesses supporting the occurrence. Para No.55 of the case diary reflects clean antecedent of the petitioners. The injury report of injured Rohan Kumar reflects one laceration over scalp of size 6cm x 0.5 cm x 0.5 cm over his person, the opinion of injury is simple in nature and caused by hard and blunt substance. By perusal of material on record, it appears that the petitioner no.3 Chandan Kumar Das is alleged to have assaulted the informant's son on head causing injury to the informant's son which is also corroborated by the medical report of injured.

7. Under the facts and circumstances of the present case, this Court is not inclined to grant anticipatory bail to the petitioner no. 3 Chandan Kumar Das consequently, the prayer of anticipatory bail of the **petitioner no. 3 namely Chandan Kumar Das** stands **rejected**. However, anticipatory bail petition of **petitioner no.1,2 and 4 namely Anita Devi, Ajay Das @ Ajay Kumar Das and Bittu Das @ Bittu Kumar Das** stands **allowed**. Accordingly, in the event of their arrest or surrender before the learned court below within four weeks

In the Court of Sessions Judge, Darbhanga.**A.B.P. No. 869/2026**

from the date of receipt of this order, let the petitioner no.1,2 and 4 namely Anita Devi, Ajay Das @ Ajay Kumar Das and Bittu Das @ Bittu Kumar Das 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 court of Shri Salabh Sharma, 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.
09-06-2026.

WEB COPY