

In the Court of Sessions Judge, Darbhanga, Camp Court, Benipur.**A.B.P. No. 136/2026**

- 1.Radhe Shyam Ram @ Radhe Shyam Kumar Ram son of Bhikhan Ram
 2.Parshuram Kumar Ram son of Bhikhar Ram
 3.Shankar Kumar Ram son of Bhikhan RamPetitioners.

Versus

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

For the petitioners: Sri Roshan Mishra, Learned Advocate.

For the O.P.(State): Smt. Punam Jha, Learned I/c Public Prosecutor.

ORDER

03-06-2026: Application for anticipatory bail has been filed on behalf of the petitioners namely **Radhe Shyam Ram @ Radhe Shyam Kumar , Parshuram Kumar Ram and Shankar Kumar Ram**, who are apprehending their arrest in connection with Bahera PS Case No. 151 of 2026 for the offences U/Ss. 126(2), 115(2), 118(1), 303(2), 351(2), 352 and 3(5) of the B.N.S., 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 09-03-2026 at about 8.00 PM of the night accused Radhe Shyam Ram, who was accompanied with one unknown persons started abusing the informant and when it was protested, the accused stated that he shall act as per his wish and informant went into his house to inform the police, but after 10 minutes he heard some sound and came out from his house and found accused Bhikhan Ram, Radhe Shyam Ram, Parshuram Kumar, Shankar Kumar Ram, Kailash Kumar Ram armed with weapon abusing the informant and at the dictate of Bhikhan Ram, Radhe Shyam Ram and Parshuram Kumar Ram assaulted the informant by pointed weapon causing injury on head and oozing out of blood and accused Shankar Kumar Ram and Kailash Kumar Ram assaulted by lathi which hit at the nose and near eye and informant fell down on the ground and thereafter Bhikhan Ram committed theft of Mobile set of Apple make and also looted Rs.3000/- from the pocket of the informant and threatened him, all the accused persons fled away resulting into the institution of the case.

4. It is submitted on behalf of the petitioners that the petitioners are quite innocent and have committed no offence and have falsely been implicated in the present case . It has further been submitted that by perusal of the material on the record no offence u/s 118(1) of the BNS is attracted in want of constituting ingredients since the injury has been found to be of lacerated nature, where as per the allegation pointed weapon was


 Ajay Kumar Sharma,
 Principal District and Sessions Judge,
 Darbhanga

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used to cause the injury which creates serious doubt to the prosecution statement. The further submission is that so far the allegation of theft is concerned, it is ornamental and super addition to make the offence non bailable, where the petitioners carry clean antecedent. Hence, the 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. 3 is the description of place of occurrence which appears to be situated in village Chaugma. Para-4 is the re-statement of the informant supporting the occurrence. Para- 05,06 of the case diary reflects the statement of witnesses supporting the occurrence and the injury report reflects one lacerated wound on scalp, but dimension and size has not been mentioned along with normal bleeding and abrasion.

7. Under the facts and circumstances of the present case, the nature of allegation where the petitioners carry clean antecedent, 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 Radhey Shyam Ram @ Radhe Shyam Kumar Ram, Parshuram Kumar Ram and Shankar Kumar Ram 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 learned A.C.J.M., Benipur subject to conditions as laid down u/s 482(2) of the Bharatiya Nagrik Suraksha Sanhita.

Dictated


(Ajay Kumar Sharma)
Sessions Judge, Darbhanga,
Camp Court, Benipur
03-06-2026.


Ajay Kumar Sharma,
Principal District and Sessions Judge,
Darbhanga

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