

Court of Dist. & Addl. Sessions Judge-I, Benipur (Darbhanga)
Present:- Sri Rishi Gupta, Dist. & Addl. Sessions Judge-I, Benipur
In CR No. 121/25, State vs. Rahul Kumar.

**In the Court of Sri Rishi Gupta, Dist. & Addl. Sessions Judge-I, Benipur,
Darbhanga.**

Present

**Rishi Gupta
Dist. & Addl. Sessions Judge- I, Benipur
Benipur, dated, the 07th August, 2026
Anticipatory Bail Petition no. 202 of 2026**

Rahul Kumar

.....**Petitioner.**

Versus

The State of Bihar

.....**Opposite Party.**

Counsel for the petitioner :- Sri Sanjeev Jha, Ld. Advocate.

Counsel for the State:- Smt. Punam Jha, Ld. APP.

ORDER

07.08.2026 The present anticipatory bail petition has been filed on behalf of petitioner namely Rahul Kumar, aged about 23 years, S/o Shambhu Sahu, resident of village – Bahera, P.S. Bahera, Distt. - Darbhanga, in connection with C.R. No. 121/2025 in which prima facie case was found u/s 126(2), 115(2), 316(2), 318(4) of BNS, which is pending in the court of Ld. A.C.J.M., Benipur.

Heard Sri Sanjeev Jha, Ld. Counsel for the petitioner and Smt. Punam Jha, Ld. Counsel for the state.

The prosecution case as stated in brief in complaint petition is that accused No. 1 Maheshwar Sahu came into agreement with the complainant to sell his land in consideration of 13,50,000/- rupees which complainant paid to him between 21.09.2017 to 22.12.2023 in presence of witnesses. That the accused Maheshwar Sahu also made an agreement in that light after which the complainant planted 20 mango trees in the said land. That the accused Maheshwar Sahu did not made sale-deed as per agreement and on 24.07.2024 sold the same to accused No. 2 to 5 of complaint petition while accused No. 6 and 7 were made witnesses on that sale-deed. That when complainant came to know about that sale-deed, the complainant filed complaint case No. 111/25 in which the matter was compromised on the basis of promise made by accused No. 1 to return the paid amount. That later when the complainant said to return the money, accused persons started to abuse and beat the complainant. That accused No. 2 snatched gold chain and accused No. 8 snatched Rs. 5,000/- from the pocket of complainant.

The Counsel for the petitioner has submitted that the petitioner is apprehending his arrest in connection with above mentioned C.R. No. 121 of 2025 having allegations of non-bailable offences which were never committed by the hands of this petitioner. That no bail application in any form has ever been filed by this petitioner before any court prior to this. That the petitioner doesn't has any criminal antecedents. That the petitioner is innocent and has committed no offence. That the allegations levelled against the petitioner are bailable except the allegations under Section 316(2) and 318(4) of BNS. That the allegations levelled against the petitioner is false, fabricated and concocted. That no occurrence did ever take place as alleged by complainant rather he is the complainant who is habitual of filing this type of complaint against villagers for realising ransom. That the petitioner is only identifier who identified the Vendor and Vendee of alleged sale deed and the other accused persons have been granted the privilege of pre-arrest bail vide ABP No. 75/26 by Ld. Court. That the petitioner is man of

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means and there is no chance of his absconding and is ready to furnish bail bond to the satisfaction of Ld. Court below. Hence, it was prayed that the accused petitioners may be granted bail.

On the other hand Ld. Counsel of the prosecution has opposed the prayer for bail submitting that the offences are grave in nature, hence the bail petition of the petitioners may be rejected.

Heard, Submissions of both parties and perused the record. From perusal of record, it has been found that in this case, prima facie case has been found in non-bailable offence u/s 316(2) and 318(4) along with other sections. That the petitioner is merely a witness of that sale-deed. That there is no other allegation against the accused petitioner. That it is a complaint base case in which maximum punishment provided is upto 07 years . That there is no criminal antecedent as per bail petition filed. That co-accused who was on similar footing was granted bail in ABP No. 75/24. So, considering the discussion made and under these circumstances, this court finds it proper **to allow** the bail petition of the petitioner **Rahul Kumar**, aged about 23 years, S/o Shambhu Sahu, resident of village – Bahera, P.S. Bahera, Distt. - Darbhanga. That in case of arrest or surrender within a period of three weeks of receipt of this order by the Ld. Court, the accused petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(Rs. Ten Thousands/-) with two sureties of like amount each to the satisfaction of the court and with the condition that accused-petitioner shall remain physically present before the Id. Court till framing of charge.

(Dictated and Corrected)

(Rishi Gupta)
 Addl. Sessions Judge I,
 Benipur
 07.08.2026.

Date of Order	07.08.2026
Date of Reserving Order	07.08.2026
Uploading Date	08.08.2026
Uploaded by	Lav Kumar, Court Reader cum D.W.