

Court of District and Addl. Sessions Judge, Biraoul(Darbhanga)

Present:- Sri Shiv Kumar,

Dist.&Addl. Sess. Judge, Biraoul.

ABP No. 13/2026(Mukund Kumar Jha vs. State of Bihar)

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In the Court of District and Addl. Sessions Judge, Biraoul, Darbhanga

ABP No. 13 of 2026

In the matter of :-

1. Mukund Kumar Jha, Son of Govind Jha

.....Petitioners.

Vs.

2. The State of BiharOpposite Party.

For the petitioner:- Sri Suman Kumar Sahu, Ld. Advocate.

For the O.P.(State):- Sri Bachha Rai, Ld. APP.

Order

15.04.2026 The present anticipatory bail petition has been filed on behalf of abovenamed petitioner who is apprehending his arrest in connection with Biraoul PS case no. 130 of 2024, for the offences U/Ss 147, 148, 149, 120B, 186, 188, 341, 342, 323, 324, 325, 332, 333, 353, 307, 337, 354(B), 504, 506 of IPC, which is pending in the Court of Ld. ACJM, Biraoul, Darbhanga.

Heard Sri Suman Kumar Sahu the Ld. Counsel for the petitioner and Sri Bachcha Rai Ld. Counsel for State.

The FIR in the present case has been lodged on the basis of self statement of informant namely Amrit Lal Barman who is posted as Inspector cum SHO, Biraoul. The case of the prosecution in brief is that on 27.03.2024 at around 13:15 O'clock the informant got an information that a motorcycle was coming rashly and negligently from K.Asthan side and dashed with tampo. On the same time a police van was coming from opposite side due to which one person came under the van and died on spot. The petitioner and the co-accused persons are alleged to have instigate the 100-200 persons to enter the police station premises with intent to commit untoward incident and about 50

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people entered the police station premises and threw the chairs and government documents outside the police station and some people were holding inflammable substance in their hands and sound was coming from the crowd to burn the police station. The petitioner and co-accused persons were identified through video footage with the help of Mahal Chowkidar. The petitioner and co-accused is alleged to have abused, attacked upon police party and also assaulted them with lathi, dandan causing hindrance in discharging duties of public servant.

Ld. Counsel for the petitioner submits that the petitioner is quite innocent and he has not committed any offence. The petitioner has falsely been implicated in this false case. NO such occurrence did ever take place as alleged in the FIR. The petitioner has been implicated in this case on suspicion. NO incriminating articles have been recovered from the petitioner. The petitioner is member of mob and there is no specific allegation of any overt act has been alleged against him. The petitioner is ready to abide by all the conditions as imposed by the Court. Therefore the present petition may be allowed.

On the other hand, Ld. Addl. P.P appearing on behalf of the State opposed the prayer for bail.

Upon considering the rival submissions and on perusal of the materials available on record this court finds that there is allegation upon petitioner that he in connivance with other accused persons have deter the police to discharge their duties and attacked on them due to which some of the police officers got injured. Para 4 of the case diary mentions restatement of informant who has reiterated the same version as alleged in the FIR. Para 5, 18, 19, 20, 21 of the case diary mentions statement of witnesses who too have supported the case. Para 77, 78, 79, 80 of the case diary mentions injury

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report of injured persons. Para 88 of the case diary mentions that during investigation the police has found the involvement of petitioner in the said incident. The investigation qua this petitioner is still going on. Therefore considering the discussions made above, seriousness of the allegations leveled upon petitioner, injury received by the injured as well as other facts and circumstances of the case a prima facie case is made out against the petitioner. Under the circumstances, this court does not feel inclined to grant anticipatory bail to the petitioner. Accordingly the prayer for anticipatory bail of the abovenamed petitioner is hereby **rejected**.

(Dictated)

(Shiv Kumar)

Addl. Sessions Judge, Biraoul

15.04.2026