

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

**Present:- Sri Shiv Kumar,**

**Dist.&Addl. Sess. Judge, Biraoul.**

**ABP No. 66/2026(Suraj Singh alias Surya Pratap Singh and others vs. State of Bihar)**

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

**ABP No. 66 of 2026**

**In the matter of :-**

1. Suraj Singh alias Surya Pratap Singh, Son of Pappu Singh
2. Pappu Kumar Singh, Son of Brij Bihari Singh
3. Brij Bihari Singh, Son of Shiv Shankar Singh
4. Bablu Singh, Son of Brij Bihari Singh
5. Chanchal Devi, Wife of Pappu Singh

.....Petitioners.

**Vs.**

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

**For the petitioner:-** Sri Swatantra Kumar Mishra, Ld. Advocate.

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

**Order**

**07.04.2026** The present anticipatory bail petition has been filed on behalf of abovenamed petitioners who are apprehending their arrest in connection with Biraoul PS case no. 04 of 2026, for the offences U/Ss 329(3), 115(2), 126(2), 109, 117(1), 303(2), 352, 3(5) of BNS, which is pending in the Court of Ld. ACJM, Biraoul, Darbhanga.

Heard Sri Swatantra Kumar Mishra the Ld. Counsel for the petitioners and Sri Bachha Rai Ld. Counsel for State as well as Sri Ram Mohan Mishra Ld. Private counsel for informant.

The FIR in the present case has been lodged on the basis of typed application of informant namely Ganesh Kumwar. The case of the prosecution as stated in application of informant in brief is that on 02.01.2026 at around 3 PM the petitioners surrounded informant. They are armed with lathi, danda, farsa, katta. During incident Pappu Singh assaulted informant with farsa on his head. Other accused persons have also assaulted informant and made him injured and fractured

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his finger. When son and wife of informant namely Kari Kumar and Sugi Kumari came to rescue him then Braj Bihari Singh assaulted Kari Kumwar with tengari on his head with intention of killing. Suraj Singh assaulted Kari Kunwar with "Paghal" on his head. Bablu Singh assaulted him knife. Accused persons have assaulted wife of informant on her person. Chanchal Devi snatched gold chain from the neck of informant's wife. Suraj Singh snatched Jitiya from her neck. After that injured were taken to PHC, Biraoul from where they have been referred to DMCH. On the basis of aforementioned information the police has registered Biraoul PS case no. 04 of 2026, for the offences U/Ss 329(3), 115(2), 126(2), 109, 117(1), 303(2), 352, 3(5) of BNS against the petitioners.

Ld. Counsel for the petitioner submits that the petitioners are quite innocent and they have not committed any offence. The petitioners have falsely been implicated in this false case. No case under the alleged section of FIR has been made out against the petitioners. The allegations levelled against the petitioners are general in nature. All the alleged sections areailable except section 109, 303(2), 117(1) of BNS. No case u/s 109 and 117(1) of BNS is made out against the petitioners. The allegations levelled u/s 303(2) of BNS is ornamental in nature. The petitioners are law abiding citizens and they are 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 and Ld. Private counsel for informant opposed the prayer for bail and submits that there is direct allegation against the petitioners that they have assaulted informant and his family members. The injury received by the injured supports the factum of accusation. Therefore the present petition should be dismissed.

Upon considering the rival submissions and on perusal of the materials available on record this court finds that the allegations leveled against the petitioners are specific in nature. Para 2 of the case diary mentions restatement of informant who have fully supported the prosecution case and mentions involvement of petitioners in the alleged incident. Para 3 of the case diary mentions statement of

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injured witness namely Kari kuwar who too have supported the case and specifically stated about the involvement of petitioners in the assault upon him and his family members. Further para 7, 8, 9, 10 of the case diary mentions statement of witnesses who too have supported the case. The injury report of injured Ganesh Kunwar issued from DMCH mentions that he has received a stitched wound of size 2cm over left occipital region of scalp and a stitched wound of size 2 cm over left hand. He has also received mid scalp swelling over right parietal bone. Further the injury report of injured Sikinder Kumwar alias Kari Kumwar issued from DMCH mentions that he has received a stitched wound of size 5cm over mid parietal region of scalp and a stitched wound of size 3 cm occipital region of scalp. He has also received mild scalp swelling over left parietal bone and fracture outer table of frontal sinus near midline with mild overlying scalp swelling. Injured Sugiya Devi received lacerated wound over lower lip. Considering the discussions made above, specific allegations leveled upon petitioners supported with injury reports as well as other facts and circumstances of the case this court does not feel inclined to grant anticipatory bail to the petitioners. Accordingly the prayer for anticipatory bail of the aforesaid petitioners is hereby **rejected**.

(Dictated)

(Shiv Kumar)

Addl. Sessions Judge

Biraoul, Darbhanga.

07.04.2026