

In the Court of Sessions Judge, Darbhanga, Camp Court, Biraul.
A.B.P. No. 184/2026

1. Ram Japo Kumar @ Ram Japo Choupal @ Nanku Choupal son of Mahadev Choupal
2. Chandan Kumar @ Chandan Choupal son of Jibachh Choupal @ Jibachh Khatwe
3. Vishal Kumar @ Vishal Chaupal son of Chandeshwar Choupal

.....Petitioners.

Versus

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

For the petitioners: Shri Ajay Kumar Jha ,Learned Advocate.

For the O.P.(State): Shri. Gunjan Kr. Singh, Learned I/c Public Prosecutor.

ORDER

10.06.2026: Application for anticipatory bail has been filed on behalf of the petitioners namely **Ram Japo Kumar @ Ram Japo Chaupal @ Nanku Choupal, Chandan Chaupal and Vishal Kumar @ Vishal Chaupal**, who are apprehending their arrest in connection with Kusheshwar Asthan P.S. Case No. 11/2026 for the offences U/ss. 126(2), 115(2), 117(2), 324(2), 74, 303(2), 352, 351(2), 109(1) 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 17-01-2026 at about 10.00 PM the informant was returning after taking feast and when he reached near the house of Mahadev Chaupal, accused persons namely Nanku Chaupal, Chandan Chaupal, Govind Chaupal, Mahadev Chaupal, Baudhi Devi, Jiwachi Devi, Sunita Devi, Manjula Devi, Sumitra Devi, Vishal Chaupal and 3-5 unknown persons, duly armed with weapons restrained the informant and Mahadev Chaupal while abusing threatened the informant on which the informant asked them about closing of road and on the dictate of accused Mahadev Chaupal, accused Nanku Chaupal assaulted the informant with farsa as a result, mobile was broken and again gave another blow on the head of the informant as a result of which informant became injured and fell down on the ground. In the fallen condition accused Chandan Chaupal assaulted the informant on his head and nose. On hulla wife of the informant Anarkali Devi came to rescue the accused persons also thrown her on the ground and her clothes were torn. The brother-in-law of the informant namely Dilkhush Kumar came to rescue, then accused persons


 Ajay Kumar Sharma,
 Principal District and Sessions Judge,
 Darbhanga

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also assaulted them with fists, slaps and accused Jivachi Devi, Baudhi Devi took away golden chain worth Rs.1,20,000/- and Baudhi Devi and Manjula Devi also assaulted the informant by wooden stick and threw the informant as dead and threatened to kill the entire family members of the informant. The villager took the injured to the PHC, Kusheshwar Asthan for treatment and from there referred to DMCH for better treatment. Hence, the present case.

4 It is submitted on behalf of the petitioners that the petitioners are quite innocent, have committed no offence and have falsely been implicated in the present case. It has further been submitted that all the allegation made in the First Information Report is false and concocted and there is nothing on record to suggest any assault by farsa and moreover the DMCH official also stated before the Investigating Officer in para-86 of the case diary that the injured was treated as outdoor patient hence no injury could be issued in his favour. Further submission is that accused petitioners carrying clean antecedent. Hence, petitioners may be granted the privilege of anticipatory bail.

5. On the other hand, the learned Public Prosecutor being assisted by the learned counsel for the informant opposes the prayer of anticipatory bail.

6. Heard and perused the case diary. Para no. 2 of the case diary is the restatement of informant supporting the occurrence, Para no. 3, 4, 9 of the case diary reflects statement of the witnesses supporting the occurrence. Para 8 of the case diary reflects description of place of occurrence which appears situated in village Bahera. Para-83 of the case diary reflects clean antecedent of accused petitioners. Para no.-86 of the case diary reflects that when the Investigating Officer approached the DMCH administration he was replied that injured Guddu Chaupal was treated as out door patient, hence no injury report could be issued in his favour. There is allegation against petitioner no.1 and 2 namely Ram Japo Kumar @ Ram Japo Chaupal @ Nanku Chaupal and Chandan Kumar @ Chandan Chaupal that they assaulted with farsa and iron rod and the investigation is under progress.

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7. Under the facts and circumstances of the present case, this Court is not inclined to grant anticipatory bail to the petitioner no. 1 namely Ram Japo Kumar @ Ram Japo Chaupal @ Nanku Chaupal and petitioner no.2 namely Chandan Kuamr @ Chandan Choupal, consequently, the prayer of anticipatory bail of the **petitioner no. 1 namely Ram Japo Kumar @ Ram Japo Chaupal @ Nanku Chaupal and petitioner no.2 namely Chandan Kuamr @ Chandan Choupal** stands **rejected**. However, anticipatory bail petition of **petitioner no.3 Vishal Kumar @ Vishal Chaupal** 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 **petitioner no.3 Vishal Kumar @ Vishal Chaupal** 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 learned S.D.J.M., Biraul subject to conditions as laid down u/s 482(2) of the Bharatiya Nagrik Suraksha Sanhita.

Dictated

Ajay Kumar Sharma
(Ajay Kumar Sharma)
Sessions Judge, Darbhanga.
Camp Court, Biraul.
10-06-2026.

