

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

Present:- Sri Shiv Kumar,

Dist.&Addl. Sessions Judge, Biraul.

ABP No. 225/2026(Nand Kishor Sharma alias Nand Sharma vs. State of Bihar)

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

ABP No. 225 of 2026

In the matter of :-

1. Nand Kishor Sharma alias Nand Sharma, Son of Brahma Nand Sharma

.....Petitioners.

Vs.

2. The State of BiharOpposite Party.

For the petitioners:- Sri Ram Chandra Yadav, Ld. Advocate.

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

Order

23.07.2026 The present application for anticipatory bail has been filed on behalf of abovenamed petitioner, who is apprehending his arrest in connection with Biraul PS case No. 130 of 2024, for the offences punishable under sections 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, Biraul, Darbhanga.

Heard Sri Ram Chandra Yadav 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, Biraul. 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 accused persons are alleged to have instigate the 100-200 persons to enter the police

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station premises with intent to commit untoward incident and about 50 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, danda 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. The petitioner has no concern with the alleged occurrence. The petitioner is not named accused in the FIR. All the alleged sections are bailable except section 332, 333, 307, 353, 354B of IPC which is not made out against this petitioner. There is no specific allegation of any overt act has been alleged against the petitioner. 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. The investigation qua this petitioner is going on. The prayer for anticipatory bail of co-accused persons have been rejected by this Court. Considering the discussions made above, nature of allegation as

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well as other facts and circumstances of the case this Court does not feel inclined to grant anticipatory bail to the petitioner. Accordingly the prayer for anticipatory bail of the above-named petitioner is hereby **rejected**.

(Dictated)

(Shiv Kumar)

Addl. Sessions Judge, Biraul

23.07.2026