

**In the Court of Sessions Judge, East Champaran at Motihari.**

**Present:-**

**Abhishek K. Das  
Sessions Judge,  
East Champaran at Motihari**

**Bail Petition No.446 of 2026**

**1. Binod Sah @ Binod Kumar Sah, S/o- Rajendra Sah, age- 34 years**  
Both resident of village- Dilwarpur, P.S.- Kesaria, District- East Champaran  
----- **Petitioner**  
**Versus**  
**The State of Bihar** ----- **Opposite party.**

**Counsel for the Petitioner :- Sri Rajnikant Pandey, Advocate.**  
**Counsel for the State :- Sri Khublal Prasad, Public Prosecutor.**

**10-03-2026**

This is a bail petition filed on behalf of the petitioner-accused, who is in custody since 29-01-2026 in connection with Kesariya P.S. Case No.271 of 2024 for the offences U/S 189(2), 126(2), 115(2), 118(1), 109, 352 and 351(2) of the B.N.S.

The prosecution case, in brief, is that on 18-08-2024 at about 11:00 A.M. after selling grains, the informant was returning to his house, in the way, when the informant reached at Shriram Chowk, petitioner and all other F.I.R. named accused persons surrounded him and started abusing him. On protest, all the accused persons wrapped gamcha around the neck of informant and dashed him on the ground. Thereafter, petitioner-accused Binod Sah with an intention to commit murder gave blow of sharp *khukhari* upon the head of informant, due to which he received injury on his head with bleeding. Co-accused Rajkumar Sah snatched cash Rs.35,000/- from the pocket of informant and co-accused Ravindra Sah snatched gold Hanumani from the informant.

**In para-2 of the bail petition, it is mentioned that no other anticipatory or regular bail petition has been filed earlier either in this Court or before the Hon'ble High Court, Patna except ABP No.5015 of 2025, which was rejected by this Court and thereafter, the petitioner moved before the Hon'ble High Court, Patna vide Cr. Misc. No.88181 of 2025, which was withdrawn. In para-3 of the bail petition, it is mentioned that petitioner has no criminal antecedent and in para-4, it is mentioned that petitioner is in custody since 29-01-2026.**

The learned counsel for the petitioner-accused has submitted that the petitioner-accused is innocent and he has committed no offence, as alleged and has falsely been implicated in this case due to village party politics. It is further submitted that in this case, all sections are bailable except 109 B.N.S. which has been added only with a view to make the case serious in nature. On these basis, it is prayed to allow this bail petition.

The learned Public Prosecutor appearing on behalf of the State has opposed the prayer for bail of the petitioner-accused on the basis of materials available in the case diary.

Heard both sides and perused the certified copy of F.I.R. and case diary. As per F.I.R., there is direct allegation against the petitioner that with an intention to commit murder, he inflicted sharp *khukhari* on the head of informant, causing injury. As per para-13 of the case diary, the informant has received incised wound upon frontal region of skull of size 3" x 11" x ½" inch deep, caused by sharp substance. The informant has received incised wound on his head, i.e. vital part of body. The witnesses vide para-2, 7 and 8 of the case diary have corroborated the version of F.I.R. As per para-96 of the case diary, petitioner has no criminal antecedent. Investigation of the case is still going on.

Considering all these facts, as discussed above, I am not inclined to enlarge the petitioner-accused on bail at this stage. Accordingly, the prayer for bail of petitioner-accused **Binod Sah @ Binod Kumar Sah** stands **rejected**.

The petitioner will be at liberty to renew his prayer for bail after submission of charge-sheet, if so advised.

(Dictated)

Sd/-  
Sessions Judge  
East Champaran at Motihari  
10-03-2026