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18-03-26

In The Court of Dist. & Addl. Sessions Judge-VIII,
East Champaran, Motihari
A.B.P. No. 1269/2026

(Arising out of Kundwa Chainpur P.S. Case No. 310/25)
Registered U/s- 309(4), 3(5) of the B.N.S.

Present:- Swami Nandan Prasad Singh
Dist. & Addl. Sessions Judge-VIII
East Champaran, Motihari.

Ramu Singh @ Ramu Kumar, aged about 26 years, S/o- Ramchandra Singh,
R/o of village/P.S.- Kundwa Chainpur, Dist-East Champaran

.....Petitioner / Applicant

State of Bihar
Date of order 13.03.2026

Versus

.....Opposite Party

Present:

Ld. Counsel of petitioner Shailendra Kr Jha.
Ld. A.P.P. for state/O.P. Sri Ishwar Chand Dubey

Corrected V.O.D. 06-04-26
D. A.P.P. Motihari
6-4-26

ix. Ramu Singh @ Ramu Kumar
aged about 26 years, S/o- Ramchandra
Singh R/o Village-Kundwa Chainpur, Dist.

ORDER

1. An application for grant of anticipatory bail petition has been filed on behalf of the petitioner namely (i) ~~Omprakash Chaudhary, age about 20 years, S/o Prabhu Chaudhary, (ii) Abhishek Kumar, aged about 19 years, S/o Manoj Mahto, (iii) Rishu Kumar, aged about 18 years, S/o Sawan Ram, all resident of village Shantinagar Pasi Tola, P.S. Chakia, Dist East Champaran, who is apprehending their arrest in connection with Kundwa Chainpur P.S. Case No. 310/25, U/s- 309(4), 3(5) of the B.N.S.~~ East Champaran

2. Heard the Ld. Counsel on behalf of the petitioners as well as Ld. A.P.P on behalf of the prosecution, on the anticipatory bail petition under consideration.

3. As per the FIR, the prosecution case in brief, is that informant namely Ram Vinay Prasad, son of Devendra Prasad, is a permanent resident of Village/P.O Samanpur, Police Station, Kundwa Chainpur, District, East Champaran. His grocery shop is located 200 meters from the Kundwa Chainpur Railway West crossing. On 06.11.2025, at around 08:10 pm, He was at his shop when suddenly three or four people arrived on a motorcycle and started purchasing some goods. Meanwhile, two men suddenly pulled out pistols and threatened him to stay back. One of them stole 350,000/- Nepalese rupees and 90,- Indian rupees from his shop's cash box. He also took his and his brother's mobile phones and threatened to shoot them if he made a noise.

4. Ld. Counsel on behalf of the petitioners submits that no other regular or anticipatory bail petition has ever been filed earlier in this or before the any higher court on behalf of the petitioner. He further submits that the accused petitioners have got no any criminal antecedent except Excise P.S. Case No.1131/25 in u/s 30(a) Bihar Prohibition Excise Act. He further submits that petitioner has no concern with the alleged occurrence and petitioner has been falsely implicated in this case due to family grudge and the fact is that petitioner is dragged in this case due to confession of co-accused before police.

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5. Ld. A.P.P. appearing on behalf of the state has opposed the prayer for regular bail of petitioner on the basis of the material available in the case diary. He further submits that all the witnesses given statement u/s 180 of B.N.S.S has supported the allegation of informant. He further submits that looted articles and arms have been recovered from the conscious possession of co-accused Kamod Kumar. He further submits that as per para 40 where confessional statement of co-accused namely Kamod Kumar has been mentioned and he has specifically taken the name of this petitioner regarding involvement of alleged offence and he also submits that as per para 75 of the case diary where supervisory authority has found case true against this petitioner. Finally Ld.A.P.P has submitted that the matter is still pending for investigation.

6. Heard both side & perused the entire case record. From perusal of case record, it appears that petitioner is not named in the F.I.R. and allegation against accused petitioner is that he has looted Three lakhs fifteen thousand Nepali rupees and Ninty indian rupees from the Galla of informant. From the perusal of entire case record, it also appears that all the witnesses of case diary have supported the allegation of informant and looted articles and arms have been recovered from the conscious possession of co-accused Kamod Kumar. Further as per para 40 of the case diary it also transpires that where confessional statement of co-accused namely Kamod Kumar has been mentioned and he has specifically taken the name of this petitioner regarding involvement of alleged offence and further it also appears that matter is still pending for investigation.

7. In the facts of the case and keeping in view the nature of allegation, gravity of offence and materials available in case diary, and investigation is still going against the petitioners, I am not inclined to grant the privilege of anticipatory bail to the petitioners. Accordingly, the prayer for anticipatory bail of petitioner namely **Ramu Singh @ Ramu Kumar** is hereby, **rejected**

Dictated

Swami Nandan Prasad Singh
 Dist. & Addl. Sessions Judge-8th
 Motihari, East Champaran.

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06.04.2026

Today Ld.Counsel of petitioner filed a petition regarding typing mistake in order dated 13.03.2026 of para 1 of A.B.P. No. 1269/26. Heard and perused the case and perusal of case record it appears that in the para no.1 of the order dated 13.03.2026 name of the accused petitioner is wrongly typed which is hereby, corrected. Ld.Counsel of the petitioner is directed to submit the certified copy received if any for correction.

Dictated

D.A.J. 08th