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

Present:-

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

Anticipatory Bail Petition No. 1292 of 2026

- 1. Ashok Sharma, aged about 54 years, S/o- Late Bharat Sharma.**
- 2. Aditya Kumar @ Prakash Aditya , aged about 22 years, S/o- Ashok Sharma.**
Both resident of Village- Shripur, Tola-Basantpur P.S. Sugauli, District- East Champaran.

----- **Petitioners.**

Versus

The State of Bihar.

----- **Opposite party.**

Counsel for the Petitioners :- Sri Prabhat Kumar, Advocate.
Counsel for the State :- Sri Khublal Prasad, P.P.

04.04.2026

This is an anticipatory bail petition filed on behalf of petitioners, namely, (1) Ashok Sharma, & (2) Aditya Kumar @ Prakash Aditya who are apprehending their arrest in connection with Sugauli P.S. Case No. 43/2025 for the offences u/s 126(2), 115(2), 118(1), 74, 303(2), 352, 351(2) of Bharatiya Nyaya Sanhita, 2023.

In para-2 of the anticipatory bail petition, it is mentioned that no other anticipatory or regular bail petition has ever been filed earlier on behalf of the petitioners either in this Court or before the Hon'ble Patna High Court and in para-3 of the anticipatory bail petition, it is mentioned that the petitioners have no criminal antecedent.

The prosecution case, in brief, is that the informant-Prabhawati Devi's husband was a teacher who passed away and before his death, he had divided his property amongst his four sons on 27.09.2011. Her eldest son, Ashok Kumar and his two sons, used to demand her husband's pension, retirement benefits, and the railway's land compensation amount. On her refusal they beat her and her other sons. On 19.01.2025 at around 03:30 hrs., (1) Aditya Kumar (petitioner), (2) Prem Prakash, & (3) Ashok Sharma (petitioner) came to her doorstep and demanded pension amount and railway's compensation amount and on her refusal caught hold of her and beats her with kicks and punches due to which her clothes got torn and she was exposed and Prem Prakash snatched her gold chain worth Rs.60,000/-.

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Aditya Kumar attacked Ram Niwas Sharma (informant's younger son) with knife due to which he sustained deep wound and fainted on the ground.

The learned counsel for the petitioners has submitted that the petitioners are quite innocent and they have committed no offence. The allegation whatsoever levelled against the petitioners are general and vague. Ashok Sharma (petitioner) and his sons Aditya Kumar (petitioner) & Prem Prakash have been brutally assaulted by sons of the informant and her family members on 19.01.2025 by *Lathi, Danda* & sharp weapons for which a counter case has been lodged against the informant's sons and other family members vide Sugauli P.S. Case no.256/2025.

The learned Public Prosecutor appearing on behalf of the State has opposed the prayer of anticipatory bail.

Heard both sides and perused the record. From perusal of the record, it transpires that the petitioners are named in the F.I.R. As per F.I.R. the petitioners used to demand constantly informant's late husband's pension, retirement benefit amount & railway's compensation amount to which she always used to refuse. On 19.01.2025, the petitioners again came at the doorstep of the informant and asked for the abovementioned demand to which she again refused. On her refusal, the petitioners beat her up and torn her clothes and also snatched her gold chain worth Rs.60,000/- and also seriously injured the informant's younger son Ram Nivas Sharma with a knife. In para-2, 15, 16, 17 and 18 of the case diary, the informant in her statement and the witnesses including the injured witnesses have corroborated the version of the F.I.R. As per para-21 containing injury report, Ram Nivas Sharma, sustained incised wound with lacerated in periphery of size-4" x 1" x 1/2" on right palm and he was referred to higher centre for further treatment. In para-24 of the case diary containing Final Injury Report of Ram Nivas Sharma, it is mentioned that he was operated in Patna Medical College & Hospital for 99 % cut of left thumb, microsurgical replantation was done on 20.01.2025, the thumb got black & necrotic after microsurgery fails. Hence, the thumb was removed 100 % from the palm. Nature of injury is grievous which was caused by sharp cutting substance. As per para-3 of anticipatory bail petition, the petitioners have no criminal antecedent, but as per para-43 of the case diary petitioner Ashok Sharma have three criminal antecedents vide (1) Sugauli P.S. case no. 236/2010 u/s 341,

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323, 379, 504/34 IPC, (2) Sugauli P.S. Case no.26/2013 u/s 323, 341, 353, 504, 506/34 IPC & (3) Sugauli P.S. case no.291/2009 u/s 341, 323, 324/34 IPC and petitioner Aditya Kumar has no criminal antecedent. The petitioner Ashok Sharma has concealed his criminal antecedents. As per para-47 of the case diary, investigation is under progress.

In the facts of the case as discussed above and keeping in view the nature of allegation and materials available in the case diary as well, I am not inclined to give privilege of pre-arrest bail to the petitioners. Accordingly, the prayer for anticipatory bail of petitioners, namely, **(1) Ashok Sharma, (2) Aditya Kumar @ Prakash Aditya** stands **rejected**.

(Dictated)

sd/-

**Sessions Judge
East Champaran at Motihari
04.04.2026**