

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

Present:-

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

Anticipatory Bail Petition No. 1298 of 2026

- 1. Jitendra Kumar, aged about 35 years, S/o Late Ambika Singh.**
R/o village- Siswa Bajar, Rambaran Sah ka Tola, P.S. Paharpur, District-
East Champaran.

----- **Petitioner.**

Versus

The State of Bihar.

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

Counsel for the Petitioner :- Sri Baldeo Singh, Advocate.
Counsel for the State :- Sri Khublal Prasad, Public Prosecutor.

20.04.2026

This anticipatory bail petition is filed on behalf of the petitioner, **Jitendra Kumar**, who is apprehending his arrest in connection with Paharpur P.S. Case No. 28 of 2026 u/ss 126(2), 115(2), 118(1), 109, 76, 303(2), 352, 351(2), 3(5) of Bharatiya Nyaya Sanhita, 2023.

As per para-2 of the anticipatory bail petition 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. As per para-3 of the anticipatory bail petition, earlier Harsiddhi P.S. Case no. 572/2023 was lodged against the petitioner besides that he has no criminal antecedent.

As per alleged F.I.R., the informant Krishnadev Singh has stated that on 06.01.2026 at about 06:30 P.M., his grand-daughter and grand-son were playing at the doorstep of his house, meanwhile Jitendra Singh (petitioner), Ashok Singh, Prabhawati Devi, Pratima Devi, Poonam Devi, Ajeet Kumar, Ashutosh Kumar came there and started beating the children i.e. his grand-daughter and grand-son. When the informant came to rescue them, Jitendra Singh (petitioner) with an intention of killing attacked with *Pharsa* on his head causing serious injury on his head due to which he fell on the ground. Thereafter, Ashok Singh took his thumb impression on a blank paper which the informant suspects as Stamp because the accused persons were eager to grab his land and from the past dispute regarding the land between them is continuing. Meanwhile, the informant's wife Soniya Devi came to rescue, then the above named persons also started beating her and made her unconscious. When the informant's daughter Priyanka Devi came to rescue them, they also attacked her, tore her clothes, leaving her half-naked causing

violation of her modesty and during the assault, Pratima Devi snatched her gold earring worth Rs.16,000/- and Poonam Devi and Prabhawati Devi were holding her.

The learned counsel for the petitioner has submitted that the petitioner is quite innocent and has committed no offence. The allegation what so ever levelled against the petitioners are out and out false and concocted. That, this case is counter version of Paharpur P.S. Case no.27/2026 lodged by petitioner for occurrence of the same day, almost same time against alleged injured persons of this case.

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

Heard both sides and perused the record. From perusal of the record, it transpires that the petitioner is named in the F.I.R. As per F.I.R., the petitioner alongwith other co-accused persons came to the house of the informant and assaulted him with a *Pharsa* on his head with an intention to kill him. The petitioner and other co-accused persons also assaulted the informant's wife, daughter and grandchildren and looted gold earring of his daughter Priyanka Singh worth Rs.16,000/-. As per medical report of informant Krishnadev Singh attached with the case diary, impression is given as stiched wound 1/2" inch length on left side of the head and as per C.T. Scan plate and report, there is no bony and paraclinical injury as a result of injury found. In Para-47 of the case diary it is mentioned that there is no any previous case against the petitioner but in Para-03 of the anticipatory bail petition, it is mentioned that the petitioner has one criminal antecedent vide Harsiddhi P.S. Case no.572/2023. As per para-48 of the case diary, the 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, I am not inclined to give privilege of pre-arrest bail to the petitioner. Accordingly, the prayer for anticipatory bail of petitioner, **Jitendra Kumar** stands **rejected**.

Let a copy of this order be communicated to the Superintendent of Police, East Champaran, Motihari to take necessary action against the erring I.O. for not verifying the criminal antecedent of the petitioner properly.

(Dictated)

sd/-

Sessions Judge
East Champaran at Motihari
20.04.2026