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

Present:-

Abhishek Kumar Das
Sessions Judge,
East Champaran at Motihari

Anticipatory Bail Petition No. 1328 of 2026

- 1. Arbind Kumar, aged about 21 years, S/o- Sanjay Rai.**
- 2. Lallu Rai @ Lallu Prasad Yadav, aged about 25 years, S/o- Awdesh Rai.**
- 3. Vikesh Kumar, aged about 19 years, S/o- Awdesh Rai**
- 4. Meena Devi @ Panna Devi, aged about 50 years, W/o Awdesh Rai.**
All R/o village- Laxmipur, Kachhari Tola, Ward no.07 P.S. Lakhaura, District- East

-----Petitioners.

Versus

The State of Bihar

----- Opposite party.

Counsel for the Petitioners :- Sri Nageshwar Prasad, Advocate.

Counsel for the State :- Sri Khublal Prasad, Public Prosecutor.

Counsel for the Informant :- Sri Prem Chandra Tiwari, Advocate.

06.04.2026

This anticipatory bail petition is filed on behalf of the petitioners, namely, (1) Arbind Kumar, (2) Lallu Rai @ Lallu Prasad Yadav, (3) Vikesh Kumar and (4) Meena Devi @ Panna Devi, who are apprehending their arrest in connection with Lakhaura P.S. Case No.359 of 2025 for the offences U/S 103(1) and 3(5) 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 been filed on behalf of the petitioners either in this Ld. Court or before the Hon'ble Patna High Court, Patna. In para-3 of the anticipatory bail petition, it is mentioned that the petitioners have no criminal antecedent.

As per F.I.R., all the persons named in the F.I.R. including the petitioners armed with sharp weapons came to the informant's doorstep and started abusing his mother. When informant protested, all of them started beating him. Sanjay Rai, Guddu Rai & Rupesh Rai with an intention to kill attacked the informant's mother with an iron rod on the head due to which she fell on the ground and her head started bleeding, then all the other persons also started assaulting her with *lathi-danda* & iron rod due to which she died on the spot. When the informant's brother- Manish Kumar, Ranjeet Kumar, wife-Soni Devi, sisters-Sanju Kumari & Budhi Devi came to rescue, they also assaulted and injured them.

The learned counsel for the petitioners has submitted that the petitioners are quite innocent and have been falsely implicated in this case. The petitioners were not present at the

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alleged date and time of the occurrence but due to land dispute they have been made accused. There is no specific allegation against the petitioners.

The learned Public Prosecutor appearing on behalf of State and learned counsel appearing on behalf of the informant have opposed the prayer for 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. with the allegation that the petitioners with other co-accused persons assaulted the informant and his family members. Due to assault the informant's mother Babita Devi died on the spot and other family members have also suffered injury with broken arms and head injury. As per para-2, 6, 7, & 8 of the case diary, the informant and witnesses have supported the prosecution story. As per para-41 of the case diary containing Post-Mortem report of informant's mother Babita Devi, it is mentioned that on external examination, bleed from right ear present, lacerated wound of size 5cm x 2cm x 2cm present over right frontal region of head, lacerated wound of size 6cm x 2cm x 2cm present over right parietal region of head. On internal examination, intracranial bleed present at right parietal lobe of brain. Injury caused by hard and blunt substances and the cause of death due to intracranial haemorrhage. As per para- 58 and 59 of the case diary, containing injury report, Ranjit Kumar and Budhi Devi received injuries. As per para-3 of the anticipatory bail petition, the petitioners have no criminal antecedent. The I.O. of the case has submitted the case diary without submitting the criminal antecedent of the petitioners.

In the facts of the case as discussed above and keeping in view the nature of allegation and gravity of offence, I am not inclined to give privilege of pre-arrest bail to the petitioners. Accordingly, the prayer for anticipatory bail of petitioners **(1) Arbind Kumar, (2) Lallu Rai @ Lallu Prasad Yadav, (3) Vikesh Kumar and (4) Meena Devi @ Panna Devi** stands **rejected**.

Let a copy of this order be communicated to the Superintendent of Police, East Champaran at Motihari to take necessary action against the erring I.O. for non-submission of criminal antecedent of the accused in the case diary.

(Dictated)

sd/-

Sessions Judge
East Champaran at Motihari
06.04.2026