In The Court of Dist. & Addl. Sessions Judge-VIII,
East Champaran, Motihari
B.P. No.671/2026
(Arising out of Turkauliya P.S. Case No. 570/25)
U/s- 126(2), 115(2), 118(1), 109, 76, 303(2), 351(2), 352 3(5) of the B.N.S.

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

Ramesh Sah, aged about 46 years, S/o Bikhari Sah, R/o- Jaisinghpur Bandarha, P.S. Turkauliya, Dist- East Champaran.

.....Petitioner/ Applicant

State of Bihar Versus .....Opposite Party
Date of order - 07.04.2026

Present:
Ld. Counsel for the petitioner -Sri Adhir Kumar.
Ld. A.P.P. for state/O.P.- Sri Ishwar Chand Dubey.

ORDER

1. An application for grant of regular bail petition has been filed on behalf of the petitioner namely Ramesh Sah, in connection with Turkauliya P.S. Case No. 570/25 U/s- 126(2), 115(2), 118(1), 109, 76, 303(2), 351(2), 352 3(5) of the B.N.S.

2. Heard the Ld. Counsel on behalf of the petitioner as well as Ld. A.P.P. and Ld.Counsel for informant on behalf of the prosecution on regular bail petition under consideration.

3. As per the FIR, the prosecution case in brief, is that namely Kanti Devi, W/o Dinesh sah, R/o village Jaihipur, Bandraha, P.S. Turkauliya, Dist East Champaran. On 28.11.2025 she was on her door in the meantime all F.I.R named persons came armed with weapons and started abusing her and hit her with fight and iron rod. In the meantime Suraj Sah attacked with knife upon her daughter then she skipped but it got on her eyes and she got injured and Priti devi and Lalita Devi snatched her mangalsutra worth Rs. 90,000/-. Ramesh Sah torn her clothes then nearby came and rescued her.

4. Ld. Counsel on behalf of the petitioner submits that no other regular or anticipatory bail application has ever been filed earlier in your Honour's court or before any higher court. He further submitted that the petitioner has got no criminal antecedents and he is in jail since 19.02.2026 for no fault. He further submitted that the petitioner is quite innocet, he has committed no offence and rather he has wrongly and falsely been implicated in this case. He further submitted that the date of occurrence has been alleged on 28.11.25 and after lapse of 5 days case has been lodged on 05.12.25, the said abnormal delay not explain in FIR. He submitted that the informant and petitioner are co-villagers and name of petitioner is dragged into this case due to previous dispute.

5. Ld. A.P.P. appearing on behalf of the state has vehemently opposed the prayer for regular bail of petitioner on the basis of the material available in the case diary. He further submitted that all the witnesses given statement u/s 180 of B.N.S.S in paras 2,5 and 6 of the case diary have fully supported the case of prosecution version. He further submits that as per para 28 where injury report of

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injured person is availble in which nature of injuries are simple. Finally Ld. App. submitted as per para 31 of case dairy there is one criminal antecedent pending against petitioner turakauliya P.S. Case No. 203/25 dt- 11.05.25 u/s 126(2), 115(2),118(1),75(2),303(2),351(2),3(5) of BNS.

6. Heard Ld. Lawyer of the respective parties and perused the case record. From perusal of F.I.R. it appears that the present case has been lodged for the offence u/s 126(2), 115(2), 118(1), 109, 76, 303(2), 351(2), 352 3(5) of the B.N.S. and petitioner is named in the F.I.R. and allegation against this petitioner is that committed marpit with informant as well as her husband and daughter. From the perusal of F.I.R it also appears that there is four days delay of lodging the F.I.R. From perusal of injury report which is mentioned in para 28 of the case diary and further the perusal of injury report it appears that all the injuries of injured persons are in simple nature. Further from the perusal of entire case dairy it also appears that injured Soni Kumari has not specifically taken the name of this petitioner regarding alleged offence and also as per para 6 of case dairy witness Pramod Sah who belong to villager of informant has not specifically taken name of this petitioner regarding alleged offence. The petitioner is in judicial custody since 19.02.2026.

7. Considering the entire materials on record and the period of custody of the petitioner, the bail petition filed on behalf of the petitioner namely **Ramesh Sah** is **Allowed.** Accordingly, it is ordered that the petitioner to be released on bail on furnishing bail bond of rupees ten thousand (10,000/-) with two sureties of the like amount each to the satisfaction of the Ld. Court Concerned. Motihari, East Champaran with subject to following conditions:- (i) petitioner shall not commit similar offence in future, (ii) petitioner shall fully cooperate in the investigation of the case, (iii) Petitioner shall not induce, threat or promise to any witness acquainted with the facts and circumstances of the case, (iv) Petitioner shall fully cooperate in trial of the case and shall appear before the court on each and every date fix till framing of charge.

Dictated

Sd/-

Dist.&Addl. Sessions Judge-8th
Motihari, East Champaran.