

IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-V,

MOTIHARI, EAST CHAMPARAN

ANTICIPATORY BAIL APPLICATION NO. : 2953/2026

Present:
Rajendra Kumar Sinha
D.A.S.J.-V, Motihari

IN THE MATTER OF:

Bittu Kumar, aged about 21 years, S/O Vijay Sah.

R/O Village- Pachpakdi,

P.S.- Pachpakdi, District - East Champaran

----Accused/Petitioner

vs

State of Bihar

----Opposite Party

P.S.- Pachpakdi

PS Case No. 70/26

Offences u/s- 115(2), 126(2), 118(1), 109(1), 352, 3(5) of BNS.

District: East Champaran

Ld. Counsel for State →

A.P.P. Sri S. C. Pd. Yadav

Ld. Counsel for applicant →

Ld. Adv. Sri Kamleshwar Kumar

ORDER

10-06-2026

1. Vide this order, anticipatory bail application u/s 482(1) B.N.S.S. filed by the petitioner above named dated 25-05-26 is being disposed off.

2. Factual matrix of the present case is that on 20-04-26, the accused persons along with 5-6 other people came to his shop and demanded money when he refused, they abused and brutally assaulted the informant & his father and brother.

3. In the nutshell, it is argued on behalf of the applicant/accused that no bail petition of any kind has been filed earlier in this court or any higher court. It was submitted that there is no criminal antecedent against the petitioner. It was further submitted that petitioner to be quite innocent, has committed no offence as alleged and has been falsely been implicated in this case. Moreover, the case has also been compromised in between the parties. Accordingly, prayer for grant of Anticipatory Bail was made.

4. On the other hand, learned Additional P. P. for the state very vehemently opposing the prayer of bail . As such, the present application is opposed.

5. I have heard all the sides and gone through the record.

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6. At this stage, it may be noted that the FIR has been instituted U/s 115(2), 126(2), 118(1), 109(1), 352, 3(5) of BNS and the allegations against petitioner are general and omnibus in nature and moreover, the case has been compromised between the parties and the injured as well as the informant have no objection in granting privilege of anticipatory bail as social harmony has been developed in their locality.

7. In view of the aforesaid facts and circumstances discussed above, the present anticipatory bail of the above named applicant/accused person namely Bittu Kumar is allowed and the petitioner in the event of his arrest or surrender within four (4) weeks of this order, shall be admitted to bail on furnishing bail bond of Rs. 10,000/-, with two sureties of the like amount each to the satisfaction of the court subject to condition laid down u/s 482 (2) B.N.S.S.

8. It is clarified that observations made in the present anticipatory bail application order are for the purpose of deciding of present application and do not affect the factual matrix of the investigation/trial of the present case which is separate issue as per law.

9. Let, this order be sent to the concern court and file be consigned to the record room after return of documents/materials submitted; if any; to the parties as per provisions.

Sd/-
(RAJENDRA KUMAR SINHA)
D.A.S.J. -V, Motihari
Dated: 10-06-26

Memo No..... dated

Copy forwarded to the Ld. Court of Miss Vagisha Sushan JMFC, Dhaka for information & needful.

D.A.S.J. -V,
Motihari Dated: 10-06-26