

IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-V

EAST CHAMPARAN, MOTIHARI

BAIL APPLICATION NO. : 1798/2026

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

IN THE MATTER OF:

Sk. Wadood aged about 55 yrs.

S/O Late Isha Mohammad

R/O Village- Banajaraha, P.S.- Kundwa Chainpur

District- East Champaran, (Bihar)

-----Accused/petitioner

Vs

State of Bihar

-----Opposite Party

P.S.- Kundwa Chainpur

FIR No.- 135/26 dated:26-04-26

Offence u/s- 115(2), 126(2), 109, 303(2), 351(2), 352, 3(5) B.N.S.

District: East Champaran, (Bihar)

Ld. Counsels for State →

A.P.P. Sri S. C. Prasad Yadav

Ld. Counsel for applicant →

Adv. Sri Nitesh Kumar Srivastava

ORDER

15-07-26

1. Vide this order, regular bail application bearing No. 1798/26 filed on dated 12-06-26 on behalf of applicant/accused namely Sk. Wadood, who is in Judicial custody in connection with the above mentioned case since 27-04-26 is being disposed off.

2. Briefly stated prosecution story in nutshell is that on 26-04-2026 around 11:30 am when the informant has gone to house of accused to complain about sending vulgar/abusive recorded Whatsapp messages by his son, to which the accused also scolded & threatened of dire consequences and thereafter, accused persons started assaulting him and the petitioner with intent to kill, stabbed him in his left abdomen. The accused persons also took away money from his pocket and on raising alarm, the villagers saved him and took him to the hospital.

3. In nutshell, it is argued on behalf of petitioner that earlier no bail application has been preferred in any court, however, one criminal case in which he is on bail is pending, has

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committed no offence as alleged, but falsely been implicated in this counter case as earlier on same day, the informant & his men assaulted the petitioner & his family members for which, his wife has also filed a case. It was further argued that all sections except sec. 109 & 303 (2) B.N.S. are bailable in nature and these are added only to make the case serious. It was further argued that the petitioner is in custody since 27-04-26 and undertake to remain present in the court and to co-operate the trial, accordingly prayer for bail was made.

4. On the other hand, Learned Addl. P.P. for state very vehemently opposed the prayer of defence and added that the petitioner has intentionally suppressed his criminal antecedent as one more case, he was convicted by Sessions Court, however, no substantial arguments were made.

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

6. At this stage, it may be noted that charge-sheet for the offence punishable u/s 126(2), 115(2), 109, 352, 351(2), 3(5) B.N.S. has been submitted against the petitioner and the injury report discloses the injury, however, to be simple, but, caused by sharp object, over left lumbar region measuring 1.5 X 0.4 X 0.3 cm corroborating the prosecution case, indicating seriousness of accusation. The petitioner has admitted only one criminal pending case, but material on record suggest that he has been convicted in another case and this fact has not been fairly disclosed before this court. Concealment of criminal antecedent amounts to suppression of the real facts and disentitles the petitioner from the equitable relief.

7. Under these facts & circumstances of the case, considering the nature & gravity of accusation, sharp cutting injury over the stomach, concealment of criminal antecedent before the court, the possibility of misuse of liberty and interference with the trial, this court is not inclined to enlarge the petitioner on bail, hence, the present bail application of the above named accused is hereby **rejected**.

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8. Let, this order be sent to the concern court as well as also be uploaded on the court website immediately and file be consigned to the record room after due return of documents/materials submitted; if any; to the parties as per provisions.

Sd/-

(RAJENDRA KUMAR SINHA)

D.A.S.J. -V, Motihari

Memo No..... Dated

Copy of this order along with L.C.R. be forwarded to the court of Sri Ravi Shekhar Varshi,
J.M.F.C, Sikrahana at Dhaka.

D.A.S.J. -V, Motihari

Dated- 15-07-2026