

IN THE COURT OF ADDITIONAL SESSIONS JUDGE-II, GAYA

ANTICIPATORY BAIL PETITION NO. 393 OF 2026

[Arising out of Alipur P.S. Case No. 49 of 2024]

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1. Ravindra Mistry son of Late Narsing Mistry,
 2. Raj Kumar son of Ravindra Mistry,
- Both R/o- Village- Rupaspur Math, P.S.- Alipur, Dist.-Gaya.

----- Accused Petitioners

VERSUS

The State of Bihar ----- Opposite Party

Present:- Nalin Kumar Pandey

16.03.2026

1. This anticipatory bail application has been filed and moved on behalf of above named accused petitioners, who are apprehending their arrest in connection with Alipur P.S. Case No. 49 of 2024 registered for the offences under Sections 341, 323, 325, 307, 504, 506, 34 of the I.P.C.
2. Sri Nand Kishor Sharma, the learned counsel has appeared to move this anticipatory bail prayer. The prosecution is represented by the Addl. Public Prosecutor.
3. The learned defence counsel has submitted that a free fight took place between the parties but any serious injury was not caused to any of the person from the prosecution party. Any criminal antecedent has not been found against the petitioners. On these grounds, a prayer has been made for grant of anticipatory bail to the accused petitioners.
4. On the other hand, learned APP has submitted that the allegation of causing serious injury to prosecution party is corroborated with the injury report which is on record, wherein two persons of informant received serious injuries one on head and other is left hand got fractured which also makes clear the intention of the assailants to make an attempt to cause serious injuries.
5. The case of prosecution based on written application of informant, in brief is that, on 02.04.2024 at about 05:30 P.M, informant had gone to her field to pluck maze corn. At the same time, accused Ravindra Mistri along with his wife came there and stopped her from plucking the crop, on which informant raised objection. Suddenly both accused persons started abusing her and became aggressive to assault her. On hearing her alarm, Pawan Kumar, Rahul Kumar and her Bhaisur Arun Kumar rused to save her. In the

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meantime, Ravindra Mistri called his son Ravi Kumar and Raj Kumar, who arrived carrying an iron rod and club in their hand. As soon as they arrived, Ravi Kumar started abusing Rahul Kumar and with intention to kill assaulted him with iron rod causing head injury. When Pawan Kumar rushed to rescue Rahul, Raj Kumar attacked him on his head with iron rod causing his left hand fractured. In the meantime, when Arun Kumar Singh tried to intervene and save them, Raj Kumar assaulted him on his leg on which he fell down. Hearing alarm villagers gathered and accused persons fled after issuing threat to kill informant.

6. Heard the Ld. A.P.P. and the Ld. Counsel of defence and perused the case record. From perusal of the case record it transpires that, there is specific and direct allegation against both the petitioners of causing head injury and fracture of hand to namely Rahul Kumar, Pawan Kumar respectively and injury to Arun Kumar Singh. Injury report is mentioned in para 54, 55 and 56 of case diary. All the injuries were found simple in nature but the allegation of assault with hard and blunt weapon on vital part of body as well as fracture of bone is corroborated with the injury report. Considering the corroboration of injury with the allegation made, this Court not found fit to grant the privilege of anticipatory bail to petitioners at this stage.

7. Considering the above facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to the accused petitioners, at this stage.

This anticipatory bail application is hereby **rejected**.

Sd-

(Nalin Kumar Pandey)
Additional Sessions Judge-II, Gaya
16.03.2026