

IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE XVTH, GAYA

A.B.P. No. 1384/2026

(In connection with Belaganj P.S. Case No. 319/2025)

- 1. Arun Chauhan @ Arun Kumar, aged about-34 Years, S/O Anil Chauhan**
 - 2. Anil Chauhan @ Anil Kumar, aged about-55 Years, S/O Late Lakhan Chauhan**
 - 3. Varun Chauhan @ Varun Kumar, aged about-30 Years, S/O Anil Chauhan**
 - 4. Tarun Chauhan @ Tarun Kumar, aged about-25 Years, S/O Anil Chauhan**
- All r/o Village- Bhalua, Tola Beldari Bigha, P.S- Belaganj ,District-GayaPetitioners.**

Vs.

The State of Bihar.....Opposite Party.

Present:- Sri Rajesh Mohan (D.&A.S.J.XVth, Gaya Jee)

Learned Counsel for the petitioner:- Sri Mukesh Kumar, Advocate.

Learned APP for the State : Sri Gopal Prajapat, Advocate.

24-04-2026:- The petitioners apprehend their arrest in connection with Belaganj P. S. Case No. 319/2025, registered for the offence punishable U/S 126(2), 115 (2), 329 (4), 303 (2), 74, 352, 3(5) BNS pending in the court of C.J.M., Gaya Jee.

As per the FIR, the prosecution story, in short, is that the informant has filed a written complaint to the S.H.O., Belaganj P.S., Gaya, inter alia therein stating that on 19.05.2025 at about 12:30 A.M. the accused, Tarun Kumar, petitioner no. 04, entered into the house of the informant and to malign her prestige caught her hand and when the informant awoke and made alarm the co-villagers rushed there and the petitioner no. 04 fled away from the spot and in the morning hour the informant went to warn the family members of the accused, Tarun Kumar, petitioner no. 04 upon which all the other accused persons / rest petitioners abused the informant and also assaulted with fist and stick and told that they would kill the informant if she lodged a case. It is further alleged that the accused has entered into her house on 3-4 occasions in the night hours with an intention to malign the informant. It is further alleged that in the course of assault one gold Mangalsutra was snatched. It is further stated that the husband of the informant used to reside out of the station due to private job and finding the informant alone the accused,

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Tarun Kumar, petitioner no. 04, harassed her. It is further alleged the petitioner no. 04 used to chase her and accordingly the present case has been registered.

As earlier called for, lower court record along with case-diary is received to this court.

Heard learned counsel for the petitioners and learned APP for the State.

Learned counsel for the petitioners submits that petitioners are quite innocent and have falsely been implicated in this case due to dirty village politics. He further submits that earlier to this the petitioners have preferred one anticipatory bail vide A.B.P. No. 2302/2025 before the learned Principal District and Sessions Judge, Gaya Jee, which is rejected by order dated 22/07/2025 passed by this court and this is the second anticipatory bail petition on behalf of the petitioners. He further submits that after the rejection of the said anticipatory bail the petitioners are given the benefits of section 35(3) BNSS and released on police bail and, therefore, there is a change in the position of law and, therefore, the petitioner has filed anticipatory bail petition twice. He further submits that there is no criminal antecedent behind the petitioners. He further submits that no case U/S 74 BNS has made out against the petitioners. He further submits that all other sections are bailable in this case. He further submits that there is inordinate delay of ten days in lodging of the F.I.R. and there is no explanation in this regard. He further submits that the petitioners are ready to face trial and prays for anticipatory bail on behalf of the petitioners.

Learned APP for the State has opposed the prayer for the anticipatory bail on behalf of the petitioners vehemently.

Under the facts and circumstances stated above and having regard to the rival submissions of both sides and going through the F.I.R. and relevant para of the case-diary as referred above, and considering that the petitioner has been released on police bail u/s 35(3) BNSS and already cognizance has been taken in this case, this court is of the opinion that there is a change in law prevailing in the country under the facts and circumstances of the case in view of decision of **Satyender Kumar Antil Vs CBI and anr.**, Supreme

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Court, this court is inclined to grant anticipatory bail to the petitioners.

Let the petitioners be released on bail in the event of their arrest or surrender in the court below within a period of three weeks from the date of communication of this order on furnishing bail bond of rupees 10,000/- (Ten Thousand) each with two sureties of like amount each to the satisfaction of the court below subject to conditions laid down u/s 482(2) BNSS.

Accordingly, this anticipatory bail petition is **allowed**.

(Dictated)

Sd/-

Rajesh Mohan

D. & A.S.J.-XVth,Gaya Jee.

Date of reserving of order	24-04-2026
Date of order	24-04-2026
Uploading date	28-04-2026
Uploaded by	Pankaj Kumar Sinha