

IN THE COURT OF DISTRICT & ADDL. SESSIONS JUDGE-XVII, GAYA

A.B.P. No. 1375/2026

(Ref:- Arising out of Konch P.S. Case No. 71/2026, u/s 329(4), 126(2), 115(2), 118(1), 117(2), 109, 74, 76, 3(5) Bharatiya Nyaya Sanhita

In the matter of :-

1. Manish Kumar, aged about 36 Years, S/o Dhirendra Kumar

2. Dhirendra Kumar, aged about 63 Years, S/o Ram Parikha Singh

Both the R/o Village - Kaiyatand, P.S.- Konch , District-GayaPetitioners

Vs.

State of Bihar

..... Opposite Party

Present:- Kiran Chaturvedi

District & Additional Sessions Judge-XVII, Gaya

Ld. Counsel for the petitioner :- Sri Ashok Kumar, Advocate

Ld. Counsel for the state. :- Ld. A.P.P.

Date of order :- 22.06.2026

ORDER

An anticipatory bail petition has been filed on behalf of the above-named accused/petitioners, who apprehends arrest in connection with above mentioned case registered u/s 329(4), 126(2), 115(2), 118(1), 117(2), 109, 74, 76, 3(5) Bharatiya Nyaya Sanhita.

The Prosecution story, in brief, is that, on 18.03.2026 at about 12 P.M. the informant had called boring mistry to fix earthing and when the machine came with pipe and other articles then Manish Kumar and Ram Parikha Singh came out from his house and told the mechanics to leave the place. It is said that informant told that he had called the mechanics and he has to engage him in his house and why you are presenting him then Dhirendra Kumar went to his house and started pointing rifle on him and when he took out him mobile to make video then he kept it in his house and Manish Kumar came out sharp cut weapon and Dhirendra Kumar with lathi and came before his half constructed house and Manish Kumar assaulted him by sharp weapon over his head which heat him over his forehead and nose and Dhirendra Kumar regularly assaulted him over his head, back and leg and then he fled inside his house to save him then both of them entered in his house and pulled his wife Jaimala from the room and thrown her in the courtyard due to which she became half necked and when she protested to save her then she was injured by sharp cut weapon over her hand and caused suspected fracture in finger and when his old father Ram Parikha Singh came out to save her then he was also assaulted and caused injury to him by them. It is said that he is suffering from heart disease and bleeding is continue from his forehead. It is said that they use to crate fear in the village of their licensee rifle and gun and previously also they had assaulted his cousin brother Devendra Kumar.

The Ld. Counsel appearing on behalf of accused/petitioners submitted that earlier no bail application either regular or anticipatory have been filed by the petitioners before this court or any higher court. Petitioners are innocent and committed no offence. They have been falsely implicated in this case. As per bail petition para no. 03, petitioners having clean antecedent. It has been further submitted that counter case of Konch P.S. Case No. 73/2026 lodged by the petitioner Manish Kumar. It is further submitted that sections 74 and 76 has been added to make the case graver. This case has been created to save this neck and make pressure to compromise. So, they may be enlarged on bail.

On the other hand, the learned A.P.P. appearing on behalf of the state vehemently opposed the prayer for bail.

Heard both sides and perusal the case record. From perusal of the case record, it appears that this case has been registered u/s 329(4), 126(2), 115(2), 118(1), 117(2), 109, 74, 76, 3(5) Bharatiya Nyaya Sanhita against the accused petitioners for assaulted to the informant and his family members and also outrage the modesty of informant's wife. As per case diary para no. 2, 3, 7, 28 & 29, all the witnesses have supported the case of prosecution. Injury report of injured persons have been mentioned in para 31 of the case diary. Injury report of Ram Parikha Singh shows **1.** 1cm x 2 cm bruise on right thigh (just pronimae to right knee joint), **2.** small abrasion on left hand middle finger. *Injury of Ashutosh Kumar shows 1. 2 x 1 cm laceration on forehead, 2. Multiple abrasion on left thigh and 3. Bruise mark on back 3 cm x 1 cm. Injury report of Jaimala shows 1. Incision injury on right wrist (2 cm x 1 cm), 2. Swelling and tenderness right dorsum of wrist. All the injury caused by hard and blunt substances.* Petitioner is named accused. There is direct and specific allegations against the petitioners. Investigation against the petitioners are still pending.

Thus, considering the above facts and circumstances and seriousness of the offenses, I am not inclined to grant anticipatory bail of the petitioners. Hence, the prayer of petitioners are hereby **rejected.**

(Dictated)

S/d-

D.A.S.J. XVII, Gaya

Date of Judgment/order	22.06.2026
Date of Reserving Judgment/order	N/A
Uploading Date	10.07.2026
Uploaded by	Shashikant Kumar (DWTC)

