

IN THE COURT OF PRINCIPAL SESSIONS JUDGE
DISTRICT-GOPALGANJ

Anticipatory Bail Petition No. 101 of 2026

(Arising out of Gopalganj P.S. Case No. 955 of 2025, registered U/S 329(2), 115(2), 109, 303(2), 352 and 74/3(5) of the B.N.S.)

In the matter of :-

Name of the petitioners	: 1.) Umesh Kumar @ Maith, 2.) Bittu Kumar @ Vivek, 3.) Dablu Manjhi, 4.) Golu Kumar, 5.) Chhotu Kumar and 6.) Kuldeep Kumar.
F.I.R. U/S	: 329(2), 115(2), 109, 303(2), 352 and 74/3(5) of the B.N.S.
Charge-Sheet U/S	: Not submitted.
Counsel for the Petitioners	: Shri Rupesh Kumar Tiwari, Id. Adv.
Counsel for the State	: Shri Deo Vansh Giri, Id. P.P.

O r d e r.

19-05-2026

1. This Anticipatory bail petition filed on behalf of above named accused-petitioners, who are apprehending their arrest in connection with Gopalganj P.S. Case No. 955 of 2025, registered U/S 329(2), 115(2), 109, 303(2), 352 and 74/3(5) of the B.N.S., is put up for hearing.

2. It is pertinent to mention here that this anticipatory bail application was filed for seven accused-petitioners, out of them one namely Abhijit Kumar @ Anda was caught by the police and his name is deleted from the anticipatory bail application.

3. As per the F.I.R., the prosecution case in brief is that on the basis of written application of the informant, Gopalganj P.S. Case No. 955 of 2025 has been lodged against the petitioners and others. It is inter alia alleged in the F.I.R. that on 19-12-2025, there was birthday of the informant, in which relatives of the informant also came. At about 11:30 pm, one Umesh Kumar @ Maith came and started doing obscene act with the informant and caught her hand. When she raised alarm, informant's brother Sumit Kumar and Rama Kumar and her relatives Abhishek Kumar came and Umesh Kumar @ Maith fled away from there. After 10 minutes, all the accused-petitioners armed with lathi-danda, road and various weapons came through a conspiracy at the house of the informant and petitioner Umesh Kumar @ Maith inflicted rod blow on the head of the informant's brother namely Rama Kumar with intention to kill him and he sustained bleeding injury on his head and fell down. After that petitioner Bittu Kumar @ Vivek inflicted sword blow on the head of Sumit Kumar and he sustained bleeding injury on his head and accused-petitioner Dablu Manjhi inflicted lathi blow on the head of informant's relative Abhishek Kumar and he also sustained bleeding injury on his head. After that accused-petitioner Golu Kumar snatched mobile phone of the informant and started dragging her by catching her hair and accused-petitioner Chotu Kumar, Kuldeep Kumar and Abhijeet Kumar broke the door of the informant and while going, accused-petitioner Chhotu Kumar taken away silver chain from the informant.

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4. It is submitted on behalf of accused/petitioners that they are innocent and have committed no offence and have been falsely implicated in this case. It is further submitted that only petitioners Golu Kumar and Chhotu Kumar have got one criminal antecedent and against remaining accused-petitioners have got no criminal antecedent. It is further submitted that there is counter-case of Gopalganj P.S. Case No. 954/25. It is further submitted that there is case and counter-case between the parties and it is a case of free-fighting, hence no case U/S 109 B.N.S. is made out and Sec. 303(2) and 74 of the B.N.S. is super addition and rest Sections are bailable. It is further submitted that petitioners have filed CCTV footage and petitioners have not assaulted the informant other injured. It is further submitted that informant side are aggressor and history-sheeter. On such strength, prayer for bail has been made by the petitioners.

5. Heard ld. Counsel appearing on behalf of the petitioners as well as ld. P.P. for the State. Ld. P.P. has opposed the prayer for bail of the accused-petitioners.

6. Having heard both the parties and perused the case record. From the perusal of the F.I.R. as well as case record, it transpires that petitioners are named in the F.I.R. and there is allegation against the petitioner Umesh Kumar @ Maith that on the occasion of birthday of the informant, he came at the house of the informant and did obscene act with the informant and caught her hand and when she made protest, petitioner along with other accused-petitioners came and petitioner Umesh Kumar @ Maith has allegedly inflicted rod blow on the head of the informant's brother namely Rama Kumar with intention to kill him and he sustained bleeding injury on his head and fell down, there is allegation against petitioner Bittu Kumar @ Vivek that he has allegedly inflicted sword blow on the head of Sumit Kumar and he sustained bleeding injury on his head and there is allegation against petitioner Dablu Manjhi that he has allegedly inflicted lathi blow on the head of informant's relative Abhishek Kumar and he also sustained bleeding injury on his head. There is allegation against the petitioner Golu Kumar that he has allegedly snatched mobile phone of the informant and he has dragged her by catching her hair and there is allegation against petitioner Chhotu Kumar that he has allegedly taken away silver-chain from the informant and there is no specific allegation against remaining accused-petitioners. Witnesses at para-07 and 08 of the case diary have repeated the version of the prosecution. Para-54 of the case diary shows that petitioner Umesh Kumar @ Maith has got two criminal antecedent, petitioner Golu Kumar has got two criminal antecedent, petitioner Chhotu Kumar has got two criminal antecedent and petitioner Dablu Manjhi has got two criminal antecedent and there is no mention of any criminal antecedent against remaining accused-petitioners. From perusal of the injury reports of injured persons, it appears that injuries are found to be simple in nature caused by hard and blunt substance. From perusal of the record, it appears that there is case and counter-case between the parties and the matter appears to be of free-fighting in between them.

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7. Considering the aforesaid facts and circumstances of this case, the prayer for anticipatory bail of the petitioners 1.) Umesh Kumar @ Maith, 2.) Bittu Kumar @ Vivek, 3.) Dablu Manjhi, 4.) Golu Kumar, 5.) Chhotu Kumar and 6.) Kuldeep Kumar is allowed. It is accordingly ordered that in the event of arrest or surrender before the Id. Court-below within 30 days from the date of this order, the petitioners 1.) Umesh Kumar @ Maith, 2.) Bittu Kumar @ Vivek, 3.) Dablu Manjhi, 4.) Golu Kumar, 5.) Chhotu Kumar and 6.) Kuldeep Kumar shall be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Id. Court-below subject to conditions as laid down U/S 482(2) B.N.S.S. **subject to conditions that one of the bailers shall be close relative of the petitioners and one shall be local with further condition that petitioners will give an undertaking that they shall co-operate in the investigation/trial and they shall not temper with the witnesses or evidence.**

Let a copy of this order along with lower court record be sent to the Id. Lower court for information and needful.

(Dictated)

(Geeta Gupta)
Principal Sessions Judge, Gopalganj.