

In the Court of the Principal Sessions Judge, Gopalganj

Anticipatory Bail Petition No.341 of 2026

(Arising out of Gopalpur P.S. Case No. 05 of 2023, registered U/S 147, 148, 149, 353, 307 and 427 of the I.P.C.)

In the matter of :-

Name of the petitioner : Aazad @ Aazad Ahmad.
F.I.R. U/S : *147, 148, 149, 353, 307 and 427 of the I.P.C.*
Charge-Sheet U/S : Not submitted
Counsel for the Petitioner : Shri Dilip Kumar Prasad, Id. Adv.
Counsel for the State : Shri Deo Vansh Giri, Id. P.P.

ORDER

12-03-2026

1. This anticipatory bail petitions filed on behalf of above named accused-petitioner, who is apprehending his arrest in connection with Gopalpur P.S. Case No. 05 of 2023, registered U/S 147, 148, 149, 353, 307 and 427 of the I.P.C., is put up for hearing.

2. As per the FIR, prosecution case in brief is that on the basis of written application of informant Piyush Kumar, Officer In-charge of Excise P.S., Gopalganj, Gopalpur P.S. Case No. 05 of 2023 has been lodged against the petitioners and others u/s 147, 148, 149, 353, 307, 427 of the IPC for the alleged occurrence on dated 10.01.2023 at about 06:50 pm at village Ahirauli Duboli Tola Takiya Bari under Gopalpur P.S. of District- Gopalganj. It has been inter alia alleged that Bolero Pick-up was coming, which was stopped by the police party and when the police resorted to check, the driver fled away with the vehicle, while dashing to special force. It is alleged that by the government vehicle, the police party chased to the said vehicle and as soon as they entered in the P.O. village local people started brick-batting and when the police party attempted to go away in order to save the life, they were obstructed by one Scorpio vehicle no. UPJ7AQ7727 and large number of people were attacking on the police vehicle with brick-bats. It is also alleged that many local youths having sword, Bhala and Lathi were running towards them with intention to kill due to which the private driver Arun Kumar Singh collided the police vehicle with wall whereby the vehicle was damaged. It is alleged that the police team has to runaway in order to save their life and in the meanwhile, violent group badly damaged to the police vehicle and also looted away mobile phones, torch, music system of the vehicle etc. It is alleged that with the help of additional police force, the police party entered into the village and with help of local chaukidar and some other local people, accused persons were identified, who were allegedly involved in the alleged occurrence including this petitioner.

3. It is inter alia submitted on behalf of petitioner that he is innocent and has committed no offence and has been falsely implicated in this case on the basis of mere suspicion. It is further submitted that Sec. 353 and 307 of the I.P.C. are super-additions which has been added to make the case non-bailable. It is further submitted that one person belongs to the locality, where

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the incident took place. It is lastly submitted that petitioner has got one criminal antecedent. On such submission, it has been prayed that privilege of anticipatory bail be given to the petitioner.

4. Heard ld. Counsel for the petitioner as well as ld. P.P. for the State. Ld. P.P. for the State has opposed the anticipatory bail prayer.

5. Having heard both the parties and perused the case record. From the perusal of the F.I.R as well as case diary, it transpires that petitioner is named in the F.I.R. against whom there is allegation that he and other accused persons have allegedly attacked upon the police party and pelted stones upon them and there is further allegation against them that they have allegedly damaged the government vehicle and caused impediment in government duty and looted away mobile phones, torch and music system of the vehicle of the police party. It further appears that F.I.R. has been lodged against 13 accused persons along with 30-40 others. Although, informant and witnesses at para-02, 06 and 07 of the case diary have fully supported the case of the prosecution but all the witnesses are the official witnesses. Para-161 of the case of the case diary shows that petitioner has got two criminal antecedent. There is no mention of any injury report of any injured in the case diary. Para-169 of the case diary shows that investigation is still going on.

6. Considering the above enumerated facts and circumstances of this case, this anticipatory bail petition stands disposed off with direction to the petitioner to surrender before the ld. Court below with prayer of regular bail within 30 days from the date of this order in the ld. Court below and ld. court below shall pass order in accordance with law, without being prejudiced from this order.

Let a copy of this order along with lower court record be transmitted in the ld. Court below forthwith and the order be uploaded on C.I.S. immediately.

Dictated

**(Geeta Gupta)
Principal Sessions Judge, Gopalganj**