

IN THE COURT OF PRINCIPAL SESSIONS JUDGE
DISTRICT-GOPALGANJ

Anticipatory Bail Petition No. 393 of 2026

*(Arising out of Yadavpur P.S. Case No. 26 of 2026, registered U/S 126(2), 115(2), 109(1),
351(2) and 352/3(5) of the B.N.S.)*

In the matter of :-

Name of the petitioners	:1.) Dhananjay Kumar, 2.) Sanjay Prasad, 3.) Chandan Kumar, 4.) Chandrawati Devi and 5.) Golu Kumar.
F.I.R. U/S	: 126(2), 115(2), 109(1), 351(2) and 352/3(5) of the B.N.S.
Charge-Sheet U/S	: Not submitted
Counsel for the Petitioners	: Shri Rajesh Kumar Rai, ld. Adv.
Counsel for the State	: Shri Deo Vansh Giri, ld. P.P.

O r d e r.

22-05-2026

1. This Anticipatory bail petition filed on behalf of above named accused-petitioners, who are apprehending their arrest in connection with Yadavpur P.S. Case No. 26 of 2026, registered U/S 126(2), 115(2), 109(1), 351(2) and 352/3(5) of the B.N.S., is put up for hearing.

2. As per the FIR, prosecution case in brief is that on the basis written application of the informant, Yadavpur P.S. Case No. 26 of 2026 has been lodged against the petitioner and others. It is inter alia alleged in the F.I.R. that on 05-02-2026 at about 08:00 am, informant was getting installed the pipe in the under constructed tank. In the meanwhile, petitioners Dhananjay Kumar, Sanjay Kumar and Chandan Kumar along with other accused persons, who are pattidar of the informant, armed with lathi-danda and iron-rod came and while abusing made protest. When informant made protest, all the accused persons assaulted the informant with lathi-danda and iron-rod and she sustained severe injury and she fell down. Meanwhile, on hearing the alarm, informant's elder son Ravi Kumar rushed to save the informant, he was also assaulted by the accused persons. Meanwhile, from behind, accused Babuna Prasad, petitioner Chandrawati Devi and Golu Kumar armed with labada and bamboo came and while abusing, they assaulted the informant and her son. In the meantime, accused Dhananjay Kumar inflicted iron-rod blow on the head of the informant's son and he sustained bleeding injury on his head.

3. 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 petitioners have got no criminal antecedent. It is further submitted that the wife of the petitioner Sanjay Prasad also submitted a written application before the police but till date no action has been taken on the said application nor any F.I.R. has been registered, which clearly reflects the gross negligence of the police. It is further submitted that there is no specific allegation against the petitioners except petitioner Dhananjay Kumar. It is further submitted that both the parties are pattidars and there is land dispute between them. It is lastly submitted that informant along with her family members assaulted the accused persons but only one sided F.I.R. was lodged and the

(2/2)

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(Contd./22-05-2026)

petitioners have been falsely implicated in this case. On such strength, prayer for bail has been made by the petitioners.

4. 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.

5. 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 only specific allegation against petitioner Dhananjay Kumar that he has allegedly inflicted iron-rod blow on the head of the informant's son and he sustained bleeding injury on his head and there is no specific allegation attributed against remaining accused-petitioners rather the allegation against them are general and omnibus and both the parties are khas pattidar and owing to the dispute of installing pipe in the water tank, occurrence took place between the parties. Informant and witnesses at para-02, 19, 20 and 21 of the case diary have repeated the version of the prosecution and they have stated that both the parties are khas pattidar and due to the dispute of installing pipe in the water-tank, occurrence took place between the parties. From perusal of the injury reports of injured persons, it appears that injuries are found to be simple in nature. There is no mention of any criminal antecedent of the petitioners in the case diary.

6. Considering the aforesaid facts and circumstances of this case, the prayer for anticipatory bail of the petitioners 2.) Sanjay Prasad, 3.) Chandan Kumar, 4.) Chandrawati Devi and 5.) Golu Kumar is allowed. It is accordingly ordered that in the event of arrest or surrender before the ld. Court-below within 30 days from the date of this order, the above named petitioners 2.) Sanjay Prasad, 3.) Chandan Kumar, 4.) Chandrawati Devi and 5.) Golu 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 ld. Court-below subject to conditions as laid down U/S 482(2) B.N.S.S. **subject to conditions that one of the bailors 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.**

So far as, petitioner no. 1.) Dhananjay Kumar is concerned against whom there is specific allegation of assaulting with iron rod to the informant's son, this anticipatory bail petition stands disposed off with direction to the petitioner no. 1.) Dhananjay Kumar to surrender before the ld. Court below with prayer of regular bail within 30 days from 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 sent to the ld. Lower court for information and needful.

(Dictated)

(Geeta Gupta)
Principal Sessions Judge, Gopalganj.