

IN THE COURT OF PRINCIPAL SESSIONS JUDGE
DISTRICT-GOPALGANJ

Regular Bail Petition No.438 of 2026

*(Arising out of Baikunthpur P.S. Case No. 176 of 2026, registered U/S 126(2), 115(2),
118(1), 117(2), 109(1) and 352/3(5) of the B.N.S.)*

In the matter of :-

Name of the petitioners	: 1.) Aarpesh Ram, 2.) Sabindar Ram and 3.) Akhilesh Ram.
F.I.R. U/S	: 126(2), 115(2), 118(1), 117(2), 109(1) and 352/3(5) of the B.N.S.
Charge-Sheet U/S	: Not submitted.
Counsel for the Petitioners	: Shri Deepak Kumar Srivastava, ld. Adv.
Counsel for the State	: Shri Deo Vansh Giri, ld. P.P.

ORDER

03-06-2026

1. This Bail Application filed on behalf of above named accused-petitioners, who are in judicial custody since 01-04-2026, in connection with Baikunthpur P.S. Case No. 176 of 2026, registered U/S 126(2), 115(2), 118(1), 117(2), 109(1) and 352/3(5) of the B.N.S., is put up for hearing today.

2. As per the FIR, prosecution case in brief is that on the basis of written application of the informant, Baikunthpur P.S. Case No. 176 of 2026 has been lodged against the petitioners and other. It is inter alia alleged in the F.I.R. that on 30-03-2026 at about 07:30 pm in the night, petitioners along with other accused persons starting damaging the wall of the house of the informant. When informant made protest, all the accused persons with intention to kill him started assaulting him with rod, lathi and knife and caused him severe injury. When Shailesh Ram, Rina Devi and Amit Kumar rushed to save the informant, who were also assaulted by the accused persons with rod, lathi and knife and they sustained severe injuries.

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 due to village politics. It is further submitted that petitioners have got no criminal antecedent. It is further submitted that there is land dispute between the parties and there is no specific allegation of assaulting against the petitioners. It is further submitted that the aforesaid case is counter-blast of Baikunthpur P.S. Case No. 177/26 and the co-accused Birendra Ram is informant of that case. It is further submitted that it is a case of free-fighting and there is no case is made out U/S 109 B.N.S. against the petitioners. It is lastly submitted that petitioner is in custody

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since 01-04-2026. 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. for the State has opposed the prayer for bail of the petitioners.

5. Having heard both the parties and perused the case record along with case diary. From the perusal of the F.I.R as well as case diary, it transpires that although, petitioners are named in the F.I.R. but there is no specific allegation attributed against them rather the allegation against them is general and omnibus. It further appears that F.I.R. has been lodged after delay of two days and there is no explanation in this regard. Although, witnesses at para-05 and 06 of the case diary have supported the case of the prosecution but they have stated that there is previous land dispute between the parties and both the parties are pattidar. From perusal of the injury reports of injured persons, it appears that injuries are found to be simple caused by hard and blunt substance. Para-37 of the case diary shows that petitioners have got no criminal antecedent. 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 between the parties. The petitioners appear to be in custody since 01-04-2026.

6. Considering the aforesaid facts and circumstances of this case and considering the period of custody of the petitioners and without going into the merit of the case, this court is inclined to grant bail to the petitioners and hence, the same is hereby allowed. Petitioners are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of like amount each to the satisfaction of the ld. Court below **subject to conditions that one of the bailors shall be close relative of the petitioners and one shall be local and they will file an undertaking that they will cooperate in the investigation or trial and he will not temper with the evidence.**

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.