

IN THE COURT OF PRINCIPAL SESSIONS JUDGE
DISTRICT-GOPALGANJ

Regular Bail Petition No. 475 of 2026

*(Arising out of Baikunthpur P.S. Case No. 465 of 2025, registered U/S 126(2), 115(2),
118(1), 117(2), 109(1), 303(2) and 352/3(5) of the B.N.S.)*

In the matter of :-

Name of the petitioner	: Chandeshwar Sah.
F.I.R. U/S	: 126(2), 115(2), 118(1), 117(2), 109(1), 303(2) and 352/3(5) of the B.N.S.
Charge-Sheet U/S	: not submitted
Counsel for the Petitioner	: Shri Nitu Kumari, ld. Adv.
Counsel for the State	: Shri Deo Vansh Giri, ld. P.P.

O R D E R

08-05-2026

1. This Bail Application filed on behalf of above named accused-petitioner, who is in judicial custody since 16-04-2026, in connection with Baikunthpur P.S. Case No. 465 of 2025, registered U/S 126(2), 115(2), 118(1), 117(2), 109(1), 303(2) 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. 465 of 2025 has been lodged against the petitioner and other. It is inter alia alleged in the F.I.R. that there was marriage ceremony on dated 04-12-2025 and Barat was proceeding in the evening for Dighwa Dubauli Alaka restaurant and the female members and girls went out for parichawan ceremony and they were performing dance. In the meanwhile, one Sachin Sah was making video and he was doing obscene Act. When informant's nephew made protest and snatched his mobile phone and removed him from there. After that petitioner along with other accused persons and 10-12 unknown accused persons arrived there at about 07:00 pm and attacked upon the family members and female members of the informant with lahti-danda and knife and female members and girls sustained injuries and fell down and they became naked. Meanwhile, accused Sachin attacked on the neck of informant with knife and he sustained injury in his back and petitioner inflicted knife blow on the neck of informant's nephew Ajay Sah and he sustained injury in his left hand. After that all the accused persons snatched ornaments from the female members of the informant and attacked on the Rath of boy and snatched the mobile of Rath driver and damaged the Rath.

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3. It is submitted on behalf of accused/petitioner that he is innocent and has committed no offence and has been falsely implicated in this case. It is further submitted that petitioner has got no criminal antecedent. It is further submitted that there is no specific allegation against this petitioner and no clear role has been assigned of the petitioner in the alleged assault. It is further submitted that petitioner is an old aged person aged about 83 years, who is suffering from multiple ailments and he is physically incapable of participating in the such alleged violent Act. It is further submitted that victims sustained injuries are simple in nature and none of the injuries are on the vital parts of the body. It is further submitted that the allegation of attacking with knife not specific. It is further submitted that petitioner and informant are neighbours and due to prior enmity, the petitioner has been falsely implicated in this case. It is lastly submitted that petitioner is in custody since 16-04-2026. On such strength, prayer for bail has been made by the petitioner.

4. Heard ld. Counsel appearing on behalf of the petitioner as well as ld. P.P. for the State. ld. P.P. for the State has opposed the prayer for bail of the petitioner.

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 petitioner is named in the F.I.R. against whom there is allegation he has allegedly inflicted knife blow upon the informant's nephew and he sustained injury in his left hand. Witness at para-7 of the case diary has not alleged specific against the petitioner. Although, informant and witnesses at para-19, 20 and 21 of the case diary of the case diary have supported the case of the prosecution but they have not alleged specific against the petitioner and they have stated that in the occasion of marriage, one Sachin Sah was making video, due to which occurrence has taken place between the parties. From perusal of the injury reports at para-30, 31, 32, 33 and 34 of the case diary, it appears that stick wound has been found on the person of inured Ajay Sah and remaining injuries are found to be simple in nature. There is no mention of any criminal antecedent of the petitioner in the case diary. The petitioner appears to be in custody since 16-04-2026.

6. Considering the aforesaid facts and circumstances of this case and considering the period of custody of the petitioner and without going

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into the merit of this case, this court is inclined to grant bail to the petitioner and hence, the same is hereby allowed. Petitioner is 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 court. Court below **subject to conditions that one of the bailors shall be close relative of the petitioner and one shall be local further condition that he will file an undertaking that he 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.