

In the Court of District and Addl. Sessions Judge - I, Gopalganj**A.B.P.No. 1304/2026**

1.) Motichand Sah

2.) Tuntun Sah

3.) Mainejar Sah

4.) Jamdar Sah

5.) Vikash Kumar

6.) Aakash Kumar

:----- Petitioners

V r s

The State of Bihar

:-----Opposite party

Counsel for the petitioner

:-----Sri Priyanshi Raj, Advocate

Counsel for the O.P.

:-----Sri Deobansh Giri, P. P.

<u>22-06-2026</u>	<u>Order</u>	<u>Remarks</u>
	Anticipatory bail petition filed on behalf of the petitioners 1.) Motichand Sah, 2.) Tuntun Sah, 3.) Mainejar Sah, 4.) Jamdar Sah, 5.) Vikash Kumar and 6.) Aakash Kumar who are apprehending his arrest in connection with Hathua, P.S. Case No. 267/2023, registered U/s 341, 323, 324, 307, 354, 34 of the I.P.C. The prosecution story, in brief, is that on 12.11.2023 around 10.30 pm some persons of the informant's village namely Tuntun Sah, Mainejar Sah, Jamadar Sah, Vikash Kumar, Akash Kumar, Motichand Sah were creating ruckus after drinking alcohol. It is alleged that when the informant objected them, they came with weapon and assaulted the informant. Tuntun Yadav with Farsa attacked the informant on nose as a result he sustained injuries and fell down. When the family member of the informant came to rescue him, all the accused persons assaulted the informant's daughter, son and wife. Hence, the FIR. Learned counsel appearing on behalf of the petitioner argued that the petitioner is innocent and has been falsely implicated in this case. Learned counsel further argued that the petitioners no. 2, 3, 4 and 5 have one criminal antecedent. With these arguments learned counsel for the petitioner prayed for grant of anticipatory bail to the petitioners. Ld. P.P. for the State opposed the bail prayer of the petitioners. Having heard the ld. Counsel for the parties and perused the case diary. The petitioners are specifically alleged to have assaulted the informant and his family members after consuming alcohol. As mentioned in Paragraph 117 of the case diary, the injury reports of	

	the informant and his wife indicate that the injuries sustained by them are simple in nature and were caused by hard and blunt substances. Petitioner No. 1 is an elderly person, and as stated in Paragraphs 6 and 7 of the case diary, the informant and Petitioner No. 1 are brothers as well as patidars. Therefore, it is a fit case to grant anticipatory bail to the petitioners. Earlier, A.B.P. No. 90 of 2024 was filed by the petitioners and was dismissed for non-prosecution by this Court vide order dated 04.07.2024. However, this fact was concealed by the petitioner in Paragraph 2 of the present anticipatory bail petition. Therefore, the present bail petition is not maintainable. Accordingly, the bail petition is <i>dismissed as not maintainable</i>. (Dictated) (Kailash Joshi) I/C A.S.J.-I	
--	--	--