

In the Court of the District and Addl. Sessions Judge-XVI, Gopalganj
A.B.P. No. 1344 of 2026

1. Sudama Singh
2. Awadhesh Singh

:-----Petitioners.

Versus

The State of Bihar

:-----Opp. Party.

Ld. Counsel for the Petitioners:- Shri Rajnarayan Chaudhary, Advocate

Ld. Counsel for the State :- Shri Deo Vansh Giri, P.P.

Presiding Officer:- Shri Santosh Kumar Dubey, DAJ-XVI, Gopalganj.

Order

30.06.2026

- 1) Anticipatory Bail petition filed on behalf of above named petitioners who are apprehending their arrest in connection with Phulwariya P.S. Case No. 111/2026 pending in the court of ACJM-XVI, Gopalganj, U/s. 115(2), 126(2), 118(2), 117(2), 352, 3(5) BNS, is put up for hearing today.
- 2) Heard the parties and perused the record.
- 3) The prosecution case, in brief, is that the informant Deepak Kumar Singh alleged that he had been engaged in litigation with petitioner Sudama Singh for about one and a half years in Gopalganj Court. On 27.04.2026, when he had gone to attend the said case, petitioner Sudama Singh allegedly threatened him outside the Court premises to withdraw the case, failing which he and his family members would be killed. It is further alleged that on the same day at about 7:00 P.M., when the informant reached near Bhitbherwa Kala while walking, petitioners Sudama Singh and Awadhesh Singh along with one unknown person, who were allegedly lying in wait, intercepted him, pushed him to the roadside and made him fall on the ground. Thereafter, petitioner Awadhesh Singh allegedly pressed the chest of the informant with his knee, while petitioner Sudama Singh allegedly put a rope around his neck and attempted to strangle him. It is further alleged that upon raising alarm, petitioner Awadhesh Singh assaulted the informant on his head by knife, causing injury. Upon hearing hue and cry, local persons came there, whereupon the accused persons fled away. The injured was taken to Referral Hospital, Phulwaria and thereafter referred to Sadar Hospital, Gopalganj.
- 4) Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated due to previous enmity and pending litigations between the parties. It is submitted that, in fact, the informant had enticed away the daughter of petitioner Sudama Singh, due to which several criminal and matrimonial litigations including dowry and maintenance proceedings are pending between the parties. It is further submitted that Fulawariya P.S. Case No. 324/2021, Sripur P.S. Case No. 176/2024 and Sripur P.S. Case No. 70/2026 had earlier been instituted against the informant and others, and the present case has been lodged only to pressurize the petitioners to withdraw those cases. It is also submitted that petitioner Sudama Singh was not present at the alleged place of occurrence at the

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relevant time. It is further argued that the injuries found on the person of the informant are simple in nature and no grievous injury has been reported.

- 5) Ld. P.P. for the State opposed the bail prayer of the petitioners.
- 6) Heard both the sides. Having considered the rival submissions and upon perusal of the materials available on record, it appears that the present case has been instituted under Sections 115(2), 126(2), 118(2), 117(2), 352 and 3(5) of the BNS. It appears that offences punishable under Sections 115(2), 126(2) and 352 of the BNS are bailable in nature. So far as the remaining non-bailable sections are concerned, this Court finds that the injury report of the informant discloses abrasion over right side of occipital scalp, marks of compression by rope-like object over neck, tenderness over chest, right knee and left shoulder. However, it further appears from the medical report that the aforesaid **injuries have been opined to be simple in nature caused by hard and blunt objects**. Moreover, **CT Scan report of the head reveals no significant neuroparenchymal abnormality**. Thus, at this stage, no grievous or life-threatening injury appears to have been caused to the informant. It further appears from the materials brought on record that there exists prior enmity and multiple litigations between the parties. As per para- 3 of the bail petition petitioners have clean past and it further appears that investigation of the case is going on.
- 7) In the facts and circumstances and considering the nature of accusation, the nature of injuries sustained by the informant, the background of previous litigations between the parties, this Court is inclined to extend the privilege of anticipatory bail to the petitioners, the prayer for anticipatory bail is allowed. Accordingly, in the event of arrest or surrender within three weeks from today, the above-named petitioners, namely **Sudama Singh and Awadhesh Singh**, shall be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below in connection with this case, subject to the conditions as laid down under Section 482(2) of the BNSS with further condition that **one of the bailors shall be close relative of the petitioners**.
- 8) Let a copy of this order be sent to the concerned Ld. court for information and needful.

(Dictated)

**Dist. & Addl. Sessions Judge-XVI
Gopalganj**

Let a copy of this order be sent to the court of Ld. A.C.J.M.-XVI, Gopalganj for information and needful.

DAJ-XVI, Gopalganj