

**IN THE COURT OF SESSIONS JUDGE,
KAIMUR AT BHABHUA
(BP No. 252/2026/ Filing No.3479/2026)**

In re:

1. Banarasi Sah, aged 55 years,
S/o Late Ram Adhar Sah,
R/o Vill-Dharhar, P.S-Durgawati, Dist-Kaimur (Bhabua)

V/s
STATE

FIR No: 147/2026
P.S : Durgawati
U/s: 126(2),115(2),118(1),109(1),
303(2),352,351(2),3(5) BNS
In J.C: 27.04.2026.
Date Of Order: 19.05.2026

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1. Heard Sri Bachau Ram, learned counsel appearing on behalf of the accused /petitioner and Sh. Sachidanand Rai, learned P.P. for State.
 2. Petitioner has stated in para 2 of his bail petition that no other bail petition, either anticipatory or regular has been filed/pending except this, either in this court or before Hon'ble High Court at Patna.
 3. The brief facts of the case are that accused Banarasi Sah has encroached upon 13 feet land of informant in Khata no. 135, khasra No. 398 and on dated 24.04.2026 at around 05:00 PM, informant went to the house of this petitioner and asked him to vacate the land on which this petitioner abused him and assaulted him with iron rod and injured him. The family members of this petitioner have also beaten him and snatched valuables from his person.
 4. It is submitted on behalf of petitioner that he is innocent, has not committed any offense and has been falsely implicated in this case due to land dispute. It is further submitted that a counter case bearing Durgawati PS Case No. 148/2026 was also filed by the petitioner side against the informant and others related to this occurrence. It is, therefore, prayed that bail petition of this petitioner may please be allowed.

5. Learned PP has opposed the prayer for granting bail to the petitioner.
6. Heard the arguments of both the parties and perused the case record. It transpires from the perusal of record that petitioner is FIR named and in judicial custody since 27.04.2026. Allegations against him are that he along with his family members have assaulted and injured the informant for an old property dispute and snatched valuables from his person. The injury reports of the informant and injured are attached with case diary showing fracture of ulna bone which is grievous in nature caused by HBS and rest injuries are simple in nature. It is submitted on behalf of petitioner that a quarrel was occurred between the parties related to old land dispute in which both sides have received injuries and cross case is lodged by them against each other. It is further submitted that injured from both sides are discharged from hospital after treatment. It is further submitted that from the nature of accusation read with injury report, no case U/s 109 BNS is made out against the petitioner and allegation of snatching valuables appears to be super addition. Petitioner is stated to have no criminal antecedent as mentioned in para 3 of his bail petition.
7. Considering the aforesaid facts and circumstances coupled with period of custody undergone, his bail petition is **allowed** and the petitioner is directed to be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties with like amount each to the satisfaction of the trial court. (Dictated)

Sd/- Anurag
Sessions Judge