

**IN THE COURT OF SESSIONS JUDGE,
KAIMUR AT BHABHUA
(BP No. 242/2026/ Filing No.3399/2026)**

In re:

1. Brijmali @ Vijaymal Noniya, aged 24 years,
S/o Baban Noniya,
R/o Vill-Mohania Ward no. 12, P.S-Mohania, Dist-Kaimur (Bhabua)

V/s

STATE

FIR No: 983/2025

P.S : Mohania

U/s:191(2),190,191(3),103(1)BNS

In J.C: 11.12.2025

Date Of Order: 04.06.2026

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1. Heard Sri Pramod Kumar, learned counsels 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 case of prosecution is that on dated 09.12.2025 at around 03:00 PM, the informant along with her husband and son were returning to their house from their gosala near kacharhari through a two wheeler and when they reached near city gym, this petitioner along with other named accused and some unknown persons having knife, sword, gadasa, bhala etc. in their hands and surrounded them. Thereafter, they have dragged the son of informant from motorcycle and took him to the house of Khichad Pasi and assaulted him with sharp edged weapon and when another son of informant came to their rescue, accused Vikky Paswan, Boby Paswan, Khichad Pasi assaulted on the face of her son with knife and badly injured him and other accused have beaten him with kicks and fists cuffs. Thereafter, Saheb Paswan has thrown a large stone over her son.
 4. Ld. Counsel for the petitioner has submitted that he is innocent, has no committed any offence and has been falsely implicated in this case on the basis of false and concocted story. It is further submitted that petitioner has no concern with deceased and other persons and no case under 109 is BNS is made out against him, further no incriminating article was recovered from his possession or place. It is further sub-

mitted that there is no specific allegations against this petitioner and charge sheet against him has already been filed. It is further submitted that this petitioner lives in Varanasi with his family and work as labour. It is further submitted that co-accused having similar allegations is granted bail by this court vide BP No. 115/2026. It is, therefore, prayed that the bail petition 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 the record that petitioner is FIR named and in judicial custody since 11.12.2025. Allegations against him as are that he along with other FIR named accused have brutally assaulted the son of informant with sharp edged weapons and badly injured him. It transpires from perusal of para 2 of case diary that the son of informant died due to aforesaid injuries and the post mortem report of the deceased is mentioned in para 112 of case diary showing L/W left frontal region 2" x 1" x cavity deep; L/W ½" x ¼" muscle deep on middle frontal region; L/W ½" x ½" x muscle deep upper part of nose. Nasal bone fractured; L/W left eyebrow ½" x ¼" muscle deep; lower lip lacerated. Frontal bone of the brain fractured and brain matter underneath lacerated and the cause of death is hemorrhage and shock leading to CR failure caused by above noted injuries which are ante mortem in nature. Petitioner is stated to have no criminal antecedent as mentioned in para 3 of his bail petition. It is submitted on behalf of petitioner that altogether 20 persons were made accused in this case and the allegations against this petitioner is general and omnibus, no specific overt act is mentioned against his name. It is further submitted that co-accused having similar allegations were granted regular bail by Hon'ble High Court, Patna vide order dated 12.03.2026 in criminal misc. no. 15888/2026 and by this court in BP no. 115/2026.
7. Considering the aforesaid facts and circumstances and that charge sheet against this petitioner has already been filed and he is in judicial custody for around six months, 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