

IN THE COURT OF DISTRICT & ADDL. SESSIONS JUDGE-III, KATIHAR
ANTICIPATORY BAIL PETITION No. 634/2026
(Arising out of Korha P.S. Case No. 101/2026)

Rahul Kumar @ Rahul Kumar Hadi & Others ... Petitioners
Versus
The State of Bihar ... Opposite Party

Ld. Counsel for the Petitioner:- Sri Ashok Kumar Kamti, Advocate
Ld. Counsel for the State :- Sri Shiv Narayan Singh, APP

Date of hearing/Disposal: 20.07.2026

ORDER

An anticipatory bail petition has been filed on behalf of the accused petitioners namely (1) Rahul Kumar @ Rahul Kumar Hadi, (2) Gita Devi, (3) Rohit Hari, (4) Gourav Kumar @ Gourav Kumar Hadi and (5) Soni Devi, who are apprehending their arrest in connection with Korha P.S. Case No. 101/2026 for the offences registered U/S 101(3), 3(5) of BNS. The copy of the same has already been duly served to the Ld. Addl. P.P. for the State.

Heard the Ld. counsel for the petitioners and the learned A.P.P. for the State.

The Ld. counsel of the petitioners have submitted that earlier, no B.P. or A.B.P. on behalf of the accused petitioners have been filed or moved before this court or before the Hon'ble High Court, Patna. The petitioners are innocent and they have not committed any offence at all and have been falsely implicated in this case. That the Petitioner No. 1 has two criminal history i.e. Korha P.S. Case No. 315/2017 and Korha P.S. Case No. 390/2020 whereas Petitioner No. 2 has one criminal history i.e. Korha P.S. Case No. 315/2017 and no other criminal history of rest of the accused. That there is no any specific allegation have been levelled against the petitioners. That no any land dispute between petitioner and the informant. Petitioners are ready and willing to abide by the terms and conditions laid down by this court. Petitioners are ready to furnish local and solvent bailors to the court satisfaction. Accordingly, prayed to grant bail.

On the other hand, the Ld. Addl. P.P. vehemently opposed the prayer of anticipatory bail filed on behalf of the above named accused petitioners and submitted that the petitioners have committed the alleged offence under well planned manner. Hence, it is requested to reject the petition of the above named accused petitioners.

The case of the prosecution, in brief, is that the informant stated that her husband, Amresh Kumar Sharma, had purchased 12.45 decimals of land from Basudeo Hari in the year 2023. The land was mutated, possession was delivered, and rent receipts were obtained. A few days before the occurrence, the informant and her husband found a Machan erected on the disputed land. On enquiry, they learnt that Gita Devi, Shambhu Hari, Gourav Kumar, Rahul Kumar, Ajay Hari, and Vishwanath Hari had erected it,

claiming a share in the land. On 04.04.2026 at about 7:30 P.M., the deceased went to the land. Soon thereafter, the informant learnt that the accused persons were assaulting him. She reached the spot and allegedly saw the accused persons assaulting her husband with lathis and dandas. It is specifically alleged that Gourav Kumar struck the deceased on the head and hand with a lathi, while Rahul Kumar assaulted him on the chest, causing him to fall unconscious. The injured was taken to PHC, Korha, and thereafter referred to G.M.C.H., Purnea, where he was declared dead. Hence, the present case.

Heard the Ld. Counsel of both the parties and perused the case diary. From perusal of the case diary, it appears that the instant Korha P.S. Case No. 101/2026 has been registered U/S 101(3), 3(5) of BNS against the accused persons. The petitioners are named accused of the FIR. That the petitioners have participated in unlawful assault that resulted in the death of the informant's husband. There is land dispute between the parties and the allegations disclose an attack by the accused persons while armed with lathis and dandas. According to the inquest and post-mortem report, the injuries found on the body of the deceased indicate that they were caused by lathis and dandas. Moreover, the investigation is still pending against them.

Hence, considering the aforesaid facts and circumstances and discussions made hereinabove, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, prayer for anticipatory bail of the above named accused petitioners stand **rejected**.

(Sd/-)

D.A.S.J.-III, Katihar

20.07.2026