

Kursela P.S. case no. 159/2026
U/S 126(2), 115(2), 118(1), 109, 303(2), 351(2), 352, 3(5)
Accused Name- Raja Kumar @ Kumar Gaurav & Others
P.O.-Asutosh Rai, A.S.J.-II, Katihar
A.B.P. NO. 657/2026

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IN THE COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE-II
DISTRICT-Katihar
(A.B.P. No. 657/2026)

In the matter of

1. Raja Kumar @ Kumar Gaurav S/o Ramesh Sah, 2. Chhotu Kumar @ Sourav Kumar S/o Ramesh Sah and 3. Ramesh Sah S/o Harichandra Das.

All are R/o- Vill- Tengariya Kursela ward no. 12, P.S. Kursela, District- Katihar
.....Accused/petitioner.

Vs

State of Bihar.....Opposite Party.

Kursela P.S. case no. 159/2026

U/S- 126(2), 115(2), 118(1), 109, 303(2), 351(2), 352, 3(5)

Ld, advocate for petitioner- Shri Sadashiv

Ld, A.P.P. for the State- Shri Md. Azaj Alam

ORDER

08.06.2026- This anticipatory bail petition has been filed on the behalf of accused-petitioners namely **1. Raja Kumar @ Kumar Gaurav, 2. Chhotu Kumar @ Sourav Kumar and 3. Ramesh Sah** who are apprehending their arrest in connection with aforesaid case.

Heard the ld. counsel Shri Sadashiv appearing on the behalf of the petitioner and Ld. A.P.P. Shri Md. Azaj Alam on the behalf of the state.

According to F.I.R. prosecution case in nutshell is that informant to this case namely Vikram Aditya lodged a written report before SHO, Kursela alleging therein that on dated 24.04.2026 at about 04:00 O'clock one telephonic call from mobile no. 9534453683 received at the mobile phone no. 9304062540 belongs to informant's son namely Aman Aryan and it was told to come near Soni Hotel because there is some matter related with father-in-law. After that Aman Aryan arrived near the Soni Hotel situated at Kursela Chowk. While accused-petitioners namely Raja Kumar, Chhotu Kumar and Ramesh Sah along with other 4-5 unknown persons were present there. It is further alleged that they abused and assaulted to the Aman Aryan with view to take his life away. In the course of assaulting Raja Kumar gave a lethal blow of Dabiya at the head of Aman Aryan due to which his head got cracked and blood started oozing out from mouth and nose. When Himanshu Kumar Yadav went there to save then Chhotu Kumar gave a blow of sword upon Himanshu Kumar due to which his head got injured and his head also got drenched with blood. Informant has further alleged that being injured Aman Aryan and Himanshu Kumar fell down unconsciously. Informant has further alleged that in the course of assaulting Ramesh Sah and his two brothers snatched golden chain four bhar and three golden ring and Rs. 40,000/- from his son and from the neck of Himanshu Kumar one bhar locket of Bajrangbali was snatched by Chhotu Kumar and Ramesh Kumar. Later on, both injured persons were brought to government hospital, Kursela for treatment but from there they were referred to Purnia for better treatment where treatment is going on of both injured persons.

On the other side learned counsel for the petitioners has reiterated all the grounds taken in the bail petition and has submitted that the petitioners are quite innocent and they have falsely been implicated in this case. He has further submitted

that in the year 2023 petitioner no. 01 Raja Kumar had taken a room from the informant's brother-in-law Kishrore Kumar Yadav @ Kedar Yadav at a monthly rent of Rs. 2,000/- and petitioner no. 01 had given Rs. 3,50,000/- to the informant's brother-in-law and it was agreed that upon petitioner no. 01 vacating the room, the informant's brother-in-law would return the above mentioned Rs. 3,50,000/- to petitioner no. 01. when petitioner no. 01 agreed to leave the room of informant's brother-in-law, then the informant's brother-in-law started making excuses for not returning the said amount to the petitioner no. 01 and from last six months ago, the informant's brother-in-law kept demanding Rs. 50,000/- from the petitioner no. 01. Ld. Counsel has further submitted that on 24.04.2026 the informant's brother-in-law, informant's son, informant's brother-in-law's son and nephew along with other unknown persons came to the hotel of the petitioners and abused the petitioners and beat them up and injured them and looted them also. Then a case was filed by Baby Devi, mother of petitioner no. 01 and 02, whose case no. is Kursela P.S. case no. 158/2026 and from saving the skin to this case informant has lodged this false case against these petitioners. Accused-petitioners have got no criminal history. Accordingly, it has been prayed to allow the said anticipatory bail petition.

Per contra, learned A.P.P. has vehemently opposed the prayer for anticipatory bail.

Heard the both parties and perused the case record from the perusal of case record it is evident that preset petitioner is the named accused of the F.I.R. and there is allegation against them that aforesaid all three accused-petitioners called to the Aman Aryan near the Soni Hotel and brutally assaulted him by the means of Dabiya and when Himanshu Kumar went to save him then Himanshu Kumar Yadav was also assaulted by the accused-petitioners by means of sword due to which aforesaid both injured persons got injured seriously and after accused persons snatched ornaments and some amounts from aforesaid both injured persons. Further, from perusal of the injury report of Aman Aryan and Himanshu Kumar Yadav it is evident, they have sustained grievous injury on their respective bodies and both injuries have been reported to be caused by sharp object. Further, witnesses of the case diary have fully supported the case of prosecution and investigation is still pending against accused-petitioners.

So, having considered the above facts as well as submissions made by Ld. A.P.P., I am not inclined to grant the privilege of anticipatory bail to the aforesaid accused-petitioners. Hence, this anticipatory bail petition filed on behalf of the accused-petitioners namely **1. Raja Kumar @ Kumar Gaurav, 2. Chhotu Kumar @ Sourav Kumar and 3. Ramesh Sah** is hereby rejected.

**Addl. Sessions. Judge-II
Katihar**

Date of Order	08.06.2026
Date of Reserving Order	N/A
Uploading Date	19.06.2026

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