

Anticipatory Bail Petition No. 928/2026

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, KATIHAR

Anticipatory Bail Petition No. 928 of 2026

Arising out of Kursela P.S. Case no. 189 of 2026

Under Sections 115(2), 126(2), 118(1), 303(2), 352, 351(2), 3(5) of BNS.

Monu Kumar. Vs. State of Bihar.

20.07.2026

Ld. Counsel Sri Shambhu Prasad Yadav for the petitioner.

Ld. P.P. Sri J.P. Sah for the State.

This present anticipatory bail application is filed on behalf of the accused/petitioners namely **1. Monu Kumar**, S/o Kailash Sah, R/o village Indragram, PS Kursela, District Katihar, for grant of anticipatory bail with regard to the above mentioned case.

It is submitted by the learned Counsel on behalf of the petitioners that no regular bail petition or anticipatory bail petition has earlier been filed in this Court or before the Hon'ble High Court, Patna prior to this Anticipatory Bail Petition.

The prosecution story in brief is that on 15.10.2024 accused persons came to the informant's house at about 11:00 PM in an intoxicated condition and created a disturbance. When the informant objected, accused persons allegedly assaulted the informant on the head with an iron rod and a brick, causing a serious head injury due to which the informant became unconscious and was taken to Kursela Hospital for treatment. It is further alleged that the accused persons, in furtherance of their common intention, assaulted Pappu Sah and informant Tapeswar Sah. During the occurrence, Rupesh Kumar and Manish Kumar Thakur allegedly snatched the golden chain of Sudha Devi. The accused persons also entered the informant's house, abused the family members and assaulted them. Hence, the present case.

It is submitted by the Ld. Counsel on behalf of the petitioner is innocent and committed no offence and falsely been implicated in this case. It has further been submitted that there is no any direct or indirect allegations of assault against the petitioner. It has also been submitted that both the parties are gotiya and there is case and counter case between the parties. It has further been submitted that another accused persons namely Kailash Sah, Rupesh Sah and Chhotu Sah of this case have already been granted bail vide A.B.P. No. 117 of 2025 by this court dated 30.04.2025. It has also been submitted that petitioner has no criminal antecedent. Therefore, it has been prayed that the petitioners be granted the privilege of anticipatory bail.

On the other hand the Ld P.P. vehemently opposed the grant of anticipatory bail to the accused/petitioner. It is submitted that the

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allegations against the accused/petitioner are serious in nature. Thus, the present anticipatory bail application of the petitioner is liable to be rejected.

After hearing the arguments and perusing the records, it appears that there is no specific allegation of assault against the petitioner and the injury sustained by the injured is simple in nature. Further, there is case and counter case between them. Moreover, it has further been submitted that another accused persons namely Kailash Sah, Rupesh Sah and Chhotu Sah of this case have already been granted bail vide A.B.P. No. 117 of 2025 by this court dated 30.04.2025. It is further Para 29 of the case diary shows that the petitioner has no criminal antecedent. Petitioners are ready to cooperate during course of investigation and trial of this case.

Hence, the anticipatory bail petition of accused/petitioner namely **1. Monu Kumar**, is hereby allowed and the petitioner in the event of his arrest or surrender within four weeks before the court concerned, shall be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties like amount each to the satisfaction of the court concerned subject to condition laid down U/s 482 (2) of B.N.S.S.

Sd/-

(Ranvir Singh)
Principal Sess. Judge,
Dated: 20.07.2026