

In the Court of Sessions Judge, Madhepura.
A.B.P. No. 265/2026
(Arising out of Kumarkhand P.S. Case No. 151 of 2023)

1. Laltu Ram S/o Gulabchand Ram,
2. Akhilesh Ram S/o Late Kamleshwari Ram,
3. Ashok Ram S/o Late Kamleshwari Ram,
4. Kedar Ram S/o Late Kamleshwari Ram and
5. Ruby Devi W/o Laltu Ram,
All residents of village – Israin Kala, Ward No. 05, P.S. - Kumarkhand, District –
Madhepura.Petitioners.

Versus

The State of BiharOpposite Party.

04.
24.03.2026

ORDER

This application for anticipatory bail filed under Section 482 of the BNSS on behalf of the above named five petitioners, who are apprehending their arrest in connection with Kumarkhand P.S. Case No. 151 of 2023 u/s. 341, 323, 324, 325, 354 (B), 379, 385, 504, 506, 34 of the Indian Penal Code, is pressed today for hearing.

Heard Sri Kumar Chandra Shekhar, learned counsel appearing on behalf of the above named five petitioners and Sri Bibeka Kumar Singh, learned P.P. appearing on behalf of the state.

It is alleged in the F.I.R. by the informant Girni Devi that on 23.04.2023 at about 08.00 P.M. in the evening over the matter of previous land dispute, all the above named five petitioners having armed with lathi, farsa and iron-rod entered in the courtyard of the informant and the petitioner Laltu Ram abused and threatened to kill the informant and when the informant protested then the petitioner Laltu Ram assaulted with farsa on the head of the informant, which caused cut and fracture injury and blood started oozing out. When informant's daughter-in-law Soni Devi came to save the informant then the petitioner Kedar Ram assaulted with iron rod on the hand of Soni Devi and got her left hand injured. In the meantime, when informant's husband reached there then the petitioner Akhilesh Ram assaulted him with lathi and got informant's husband injured and got her knee fractured. The petitioner Ashok Ram forcibly caught hold the informant's daughter-in-law with hand forcibly with bad intention, torn her blouse and sari, got her naked and snatched silver chain worth Rs. 4,000/- from her neck. On raising alarm, the nearby villagers came there then the lives of the informant and her family members could be saved. It is further alleged that the petitioner Laltu Ram demanded extortion money of Rs. 02 lakh for living the informant in the house otherwise he will kill all of them.

Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and they have falsely been implicated due to land dispute and the case filed by the petitioner No. 1 against the husband of the informant and others. The petitioners have not

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committed any offence as alleged in the F.I.R. All sections of the I.P.C. are bailable except Sections 354 and 379 of the Indian Penal Code. It is further submitted that allegations of offence under sections 354 and 379 I.P.C. are alleged against the petitioner Ashok Ram but those sections of I.P.C. do not appear to be made out against him in the facts and circumstances of the case. There is land dispute between both the parties.

Learned Public Prosecutor appearing on behalf of the State of Bihar opposed prayer for anticipatory bail of the petitioners.

Perused the lower court's case record coupled with the case diary. The petitioners are named in the F.I.R. The informant in her re-statement at paragraph – 2 and the witnesses in their statements vide paragraphs – 6, 7 and 18 of the case diary have supported the prosecution case. As per paragraph – 12 of the case diary, it appears that the case has been found true against the petitioners for the offence u/ss. 341, 323, 324, 325, 354 (B), 379, 385, 504, 506, 34 I.P.C. during supervision of the case. As per paragraph – 33 of the case diary, it appears that charge-sheet has already been submitted against all the above named five petitioners for the offence under sections 341, 323, 324, 325, 354 (B), 379, 385, 504, 506, 34 I.P.C. vide charge-sheet No. 241 of 2024 dated 09.08.2024. It appears from perusal of injury reports, which are available with the case diary, it appears that three persons have sustained injuries in this case. However, all the injuries of all three injured persons have been found simple in nature caused by hard and blunt substance by the doctor.

Considering the above facts and circumstances of the case, it appears that it is not a fit case for grant of anticipatory bail. Hence, the petitioners are directed to surrender before the learned lower court and seek regular bail and the learned lower court shall consider the prayer for regular bail of the above named petitioners on taking into consideration of the fact that all injuries of all injured persons have been found simple in nature caused by hard and blunt substance, without being prejudiced by this order.

With the above observations, this anticipatory bail application filed on behalf of all the above named five petitioners stands **disposed off** in connection with Kumarkhand P.S. Case No. 151 of 2023.

Dictated
Balram Dubey
24.03.26
(Balram Dubey)

Sessions Judge, Madhepura.