

In the Court of Additional Sessions Judge-V, Muzaffarpur

Anticipatory Bail Petition No. 1131/2026

(Arising out of Sakra P. S. Case No. 101/2026)

In the matter of:

1. Pawan Sah @ Pawan Kumar Sah, S/o - Chandeshwar Sah, aged about 30 yrs,
All Resident of Village - Bishunpur Baghnagri P. S.- Sakra, District - Muzaffarpur

.....Petitioner

Versus

State of Bihar

:

..... Opposite Party

Appearance(s)

Counsel for the Petitioner(s)

: Priya Ranjan, Advocate
Vimal Kumar, Advocate

Counsel for the State

: Sadhusaran Prasad, Addl. PP.

Present: Suman Kumar Divakar
Bihar Superior Judicial Service

Order

17-04-2026

1. The Petitioner is praying for anticipatory bail in connection with Sakra P. S. Case No. 101/2026 registered for the offences under Section 126(2), 115(2), 109(1), 303(2), 324(4), 3(5) of Bhartiya Nyay Sanhita, 2023 (hereinafter referred to as 'BNS' for short).
2. Briefly stated, the prosecution has alleged the role of the Petitioner in the second spell of the incident, but in continuity that when the injured fell down on ground after sustaining injury being assaulted by other co-accused persons, he and his wife was assaulted by the present Petitioner along with other co-accused by means of laat jutta, lathi danda. There is no specific allegation of assault against the present Petitioner.
3. Learned Counsel for the Petitioner submits that he is an innocent. He has falsely been implicated due to village politics. There is political rivalry between the parties due to panchayat election. He has been implicated in this case by virtue of being relative of the co-accused.

He has no criminal antecedent. In this backdrop, he prays for anticipatory bail.

4. Learned Additional Public Prosecutor has opposed the prayer so made on behalf of the Petitioner.
5. Heard the parties. Considered the submissions. Perused the material on record including case diary. It appears from the FIR that there is no specific allegation of causing assault against the Petitioner. The Informant is present Mukhiya of panchayat - Bishunpur Bhaganagari and thus fragrance of political framing cannot be ruled out, but this is mere opinion for the purpose of deciding this petition. The specific allegation of assaulting the injured is against Raju Sah.
6. In view of above and further, considering the nature of allegation against the Petitioner coupled with his clean antecedent and further, the entire attending circumstances, I am inclined to extend him the privilege of pre-arrest bail. In the result, the present petition stands **allowed**.
7. It is ordered that the Petitioner above named would be enlarged on bail either in event of arrest or after being surrendered before the Court within fifteen days from the date of this order on furnishing bail bonds of Rupees 15,000/- subject to satisfaction of the learned Court concerned. And further condition as stipulated under section 482(2) of BNSS.

(Suman Kumar Divakar)
Additional Sessions Judge-V
Muzaffarpur

Date of Judgement/Order	17.04.2026
Date of reserving Judgement/Order	17.04.2026
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