

**IN THE COURT OF ADDL. SESSIONS JUDGE-IV, DANAPUR**

**Anticipatory Bail Petition No. 371 of 2026 (Danapur P.S. Case No. 173/2026)**

**In The Matter of :-**

1. Pankaj Kumar, aged about 55 years, s/o Late Sita Ram Singh, residing at 94/1, Gulbighat Lane, Baxariya Tola, Mahendru, Patna ,
2. Niraj Kumar @ Guddu, , aged about 51 years,
3. Warij Kumar, aged about 39 years, both sons of Late Sita Ram Singh,
4. Nikhil Kumar, aged about 29 years, s/o Niraj Kumar, all r/o Vill. Gavtal, Akhara Road, Vishkarma Mandir, P.S. Danapur, Distt. Patna

..... Petitioners

Vs.

The State of Bihar .....O.P.

Lawyer for the accused; Sri Md. Firaque Ali(Adv.)

Lawyer for the State; Sri Kalam Ansari (Addl. P.P.),

**Present: - Naghma Tarannum Addl. Sessions Judge-04, Danapur**

**ORDER**

24.04.2026	<ol style="list-style-type: none"><li>1. The present application has been filed on behalf of the petitioners named above seeking the privilege of anticipatory bail in connection with Danapur P.S. Case No. 173 of 2026, registered for the offences punishable under Sections 190, 191(2), 191(3), 308(2), 329(3), 351(3), 352 and 111(7) of the Bharatiya Nyaya Sanhita, 2023.</li><li>2. The prosecution case, as emerging from the typed complaint submitted by the informant, Satyendra Kumar @ Rajiv Ranjan, before the SHO, Danapur on 11.02.2026, in brief, is that on 08.02.2026 at about 6:30 p.m., the petitioners, along with about 100 other persons allegedly armed with deadly weapons, came to the land of the informant bearing Plot No. 822, situated at Mauza Danapur, Shahjadpur, and threatened the informant's tenants to vacate the said land. It has further been alleged that the petitioners are persons of criminal antecedents and several criminal cases are pending against them.</li><li>3. Learned counsel appearing for the petitioners has submitted that the petitioners are innocent and have committed no offence. It is contended that they have been falsely implicated due to an admitted land dispute between the parties and that the present case has been instituted as a counterblast to a petition allegedly filed by petitioner</li></ol>	Contd.
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<p>Contd. 24.04.2026</p>	<p><b>Niraj Kumar</b> before the SHO on <b>08.02.2026</b> against the informant and his family members. It is further submitted that no such occurrence, as alleged, ever took place and that the allegations made in the FIR are vague, omnibus, and exaggerated in order to give the dispute a criminal colour. Learned counsel has also argued that the investigation has substantially progressed, no custodial interrogation is required, and the petitioners are ready to abide by any condition that may be imposed by this Court.</p> <p>4. Per contra, learned Additional Public Prosecutor has strongly opposed the prayer for anticipatory bail. It is submitted that the allegations levelled against the petitioners are serious in nature and pertain to an incident involving a large number of persons allegedly armed with deadly weapons, who are said to have criminally intimidated the tenants of the informant in relation to possession over the disputed land. It is further submitted that, save and except petitioner Nikhil Kumar, the other petitioners have as many as ten criminal cases pending against them, which clearly disentitles them from the discretionary relief of anticipatory bail.</p> <p>5. I have given my anxious consideration to the rival submissions and have perused the materials available on record, including the case diary.</p> <p>6. At this stage, it appears that the accusations against the petitioners are not only serious in nature but also disclose their alleged participation in an unlawful assembly of a large number of persons, armed with deadly weapons, who are said to have gone to the land in question and threatened the tenants of the informant. The nature and gravity of the accusation, coupled with the manner of the alleged occurrence, cannot be lightly brushed aside at this stage.</p> <p>7. So far as the contention of false implication on account of</p>	<p>Contd.</p>
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<p>Contd. 24.04.2026</p>	<p>land dispute is concerned, the same pertains to the defence of the petitioners, which can be considered during the course of trial and not while adjudicating their prayer for anticipatory bail. Merely because there exists a civil or land dispute between the parties does not, by itself, dilute the criminality of the allegations made in the FIR.</p> <p>8. It is also significant that, admittedly, except petitioner Nikhil Kumar, the remaining petitioners have about ten criminal cases pending against them. Criminal antecedents are undoubtedly a relevant consideration while exercising the discretionary jurisdiction under Section 482 of the Bharatiya Nagarik Suraksha Sanhita / the applicable provision governing anticipatory bail. The antecedents attributed to the petitioners, viewed in the backdrop of the seriousness of the present accusation, weigh against grant of pre-arrest bail.</p> <p>9. Considering the nature and gravity of the accusation, the manner of the alleged occurrence, the criminal antecedents of the petitioners, and the materials available in the case diary, this Court is not inclined to extend the privilege of anticipatory bail to the petitioners.</p> <p>10. Accordingly, the prayer for anticipatory bail of the petitioners in connection with Danapur P.S. Case No. 173 of 2026 is rejected.</p> <p>11. It is, however, made clear that any observation made herein is only for the purpose of disposal of the present application and shall not prejudice the merits of the case at any stage of the trial.</p> <p>12. Let a copy of this order be transmitted to the court concerned forthwith.</p> <p style="text-align: right;"><b>(NaghmaTarannum)</b> Addl. Sessions Judge-IV, Danapur</p>	
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