

In the Court of Additional Sessions Judge-II, Danapur

(Present :- Kshiprachala Anjalee, Addl. Sessions Judge-II, Danapur.)

A.B.P. No. 1060 of 2026.

(Arising out of Khagaul P.S. Case No. 202 of 2026).

- 1.Chandan Kumar, son of Rajaram Prasad, Resident of Lalji Tola, Exhibition Road,
Police Station-Gandhi Maidan, District-Patna
- 2.Rani Kumari, wife of Prem Bijay, Resident of Nyay Nagar, Danapur cum Khagaul,
Police Station-Khagaul, District-Patna
- 3.Ramesh Kumar @ Ramesh Kumar Yadav, son of Shiv Charan Rai, Balua, Police
Station-Maner, District-Patna
- 4.Prem Bijay @ Uday Kumar, son of Lakshmi Narayan Prasad, Resident of Ghatwari,
Police Station-Dharhara, District-Munger

..... Petitioners.

Versus.

The State of Bihar.

..... Opp.Party.

Learned counsel for the petitioners :- Sri Rajiv Kumar Raju, (Advocate)

Learned counsel for the State :- Sri Ramkeshwar Prasad, (Addl. P.P.)

Order.

27-06-2026. This Anticipatory Bail Petition has been filed on behalf of the above-named petitioners, who apprehend their arrest in connection with Khagaul P.S. Case No. 202 of 2026 registered under Sections 126(2), 115(2), 352, and 353 read with Section 3(5) of the B.N.S., pending in the Court of learned A.C.J.M.-V, Danapur.

Heard the learned counsels for the parties.

It is submitted on behalf of the petitioners that earlier the petitioners have not moved for grant of their anticipatory or regular bail before this learned court or before the Hon'ble High Court. It is also submitted that there is no any bail application pending in any other Court and this is the first bail application filed on behalf of the aforesaid petitioners. It is further submitted that the petitioners are innocent and have committed no offence. The petitioners have been falsely implicated in this case due to civil dispute. There is case and counter case between the parties. All the Sections are bailable except Sections 353 of the B.N.S. and there is no ingredient of Section 353 of the B.N.S. is available on the record. The petitioners have clean antecedents. The petitioners are ready to abide by any condition imposed by this Court. Hence, the petitioners may be given benefit of anticipatory bail.

Learned Addl. P.P. opposed the prayer of bail.

As per F.I.R., the informant Reeta Devi, alleged that behind her house, there is a vacant plot bearing plot no. 22, located in Badi Khagaul Mauza. When she went to visit her land, Ramesh Kumar, Ajay Kumar, his wife, Chandan Kumar and about 10-15

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Contd. 27-06-2026

- 2 -

other individuals, who were present there, collectively started abusing her (informant). They threw her down into a drain, beat her and pulled her Saree in an attempt to outrage her modesty. They all beat her with iron rods, lathis, and sticks, and they snatched gold ornaments. When her son Pappu came running from behind upon hearing the commotion, they threw him into the drain as well, choked his neck, and beat him in the stomach. They repeatedly commit these acts with the intention of grabbing her land. An order from Danapur SDM Court has already been obtained regarding this land. Therefore, it is requested that appropriate legal action may be taken. On the basis of the written report of the informant, an F.I.R. was lodged under Sections 126(2), 115(2), 352, and 353 read with Section 3(5) of the B.N.S.

Perused the record and the case diary. On perusal of the same, it transpires that prima facie the prosecution version finds support from it. There is allegation against these petitioners that they along with other assaulted the informant, her son and snatched the gold ornaments from the informant. Injury report of the injured Reeta Devi and Pappu Kumar was not brought on the record. There is case and counter case between the parties. Apparently, the alleged occurrence took place between the parties due to land dispute. All the Sections are bailable except Sections 353 of the B.N.S. It is submitted and claimed on behalf of these petitioners that they have clean antecedents, which is also mentioned in paragraph no. 17 of the case diary. Investigation in the case is still going on.

Having considered aforesaid including the facts and circumstance of the case, clean antecedents of these petitioners and the nature of allegation against these

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Contd. 27-06-2026

- 3 -

petitioners, this Court find that this is fit case, in which anticipatory bail should be granted to the above-named petitioners. Accordingly, the above-named petitioners **Chandan Kumar, Rani Kumari, Ramesh Kumar @ Ramesh Kumar Yadav and Prem Bijay @ Uday Kumar**, are directed to be released on bail, **till submission of the charge-sheet**, in the even to their arrest or surrender within 30 days from the date of receipt/production of this order, on furnishing bail bonds of Rs.10,000/-each with two sureties of like amount each to the satisfaction of learned Court concerned subject to the conditions that :- (1) One of the bailors must be the close relatives of the petitioners (2) The petitioners shall file affidavit/undertaking that they should not commit similar offence in future. (3) If at any stage of the case it is revealed to the Court concerned that the petitioners have concealed their criminal antecedents to obtain bail, their bail bonds shall be cancelled by the Court concerned and (4) The petitioners shall fully cooperate in the trial/investigation of the case, failing which their bail bonds shall be cancelled.

(Dictated)

Sd/

(Kshiprachala Anjalee)

Addl. Sessions Judge-II, Danapur.

