

In the Court of Addl. Sessions Judge-II, Danapur.

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

A.B.P. No. 1151 of 2026.

(Arising out of Bihta P.S. Case No. 433 of 2026).

1.Madan Singh @ Sadan Kumar, son of Tribhuwan Singh,

2.Hariom Kumar, son of Madan Singh @ Sadan Kumar,

Both Resident of Village-Hirawanpur, Police Station-Bihta, District-Patna

..... Petitioners.

Versus.

The State of Bihar.

..... Opp.Party.

Learned counsel for the petitioners :- Sri Rajeev Ranjan, (Advocate)

Learned counsel for the informant :- Sri Ashok Kumar Singh, (Advocate)

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

Order.

13-07-2026. This Anticipatory Bail Petition has been filed on behalf of the above-named petitioners, who apprehend their arrest in connection with Bihta P.S. Case No. 433 of 2026 registered under Sections 126(2), 115(2), 109, 303(2), and 351(2) read with Section 3(5) of the B.N.S. and Section 27 of the Arms Act, pending in the Court of learned A.C.J.M.-II, Danapur.

Heard learned counsels for the parties.

It is submitted on behalf of the petitioners that earlier no any bail petition has been filed on behalf of the petitioners either for grant of regular or anticipatory bail before this learned court or before the Hon'ble High Court, Patna. It is further submitted that no any other bail petition pending in any other Court and this is first Bail petition filed on behalf of the aforesaid petitioners. The petitioners have committed no offence and have been falsely implicated in this case due to money transaction. Nothing has been recovered from the conscious possession of the petitioners. There is no specific allegation against the petitioners. All the Sections are bailable except Section 109 of the B.N.S. and Section 27 of the Arms Act which are super addition and there is no ingredient of Section 109 of the B.N.S. and Section 27 of the Arms Act on the record. There is case and counter case between the parties. The petitioners have clean antecedents. The petitioners are ready to abide by any condition imposed by this Court and are ready to give sufficient sureties to the satisfaction of the learned Court. Hence, they may be given benefit of anticipatory bail.

Learned Addl. P.P. as well as learned lawyer of the informant opposed the prayer of bail of the petitioners.

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As per F.I.R., the informant Akhilesh Kumar, alleged that on 02-05-2026 at about 3.00 P.M., his brother-in-law namely Madan Singh @ Sadan Singh and Hariom Kumar along with four unidentified persons, entered his house, abused him, and brutally beat him with sharp weapons and the hand of the Pistol. As a result, his head was split open, and a lot of blood was flowing. There was also firing done by them. The incident was witnessed by many people from Mohammadpur, which is adjacent to his village, as they arrived at the spot. Empty cartridges from the firing have been recovered. Furthermore, they beat up his sister whose name is Kiran Devi, with an iron rod. Her body was turned completely black and blue from the bruising. They also entered the house and looted got jewelry including a chain and Mangalsutra as well as Rs. Five Lakhs. He has only one daughter, who has married. He has not even his share to sell but they are demanding that he sell the land and given them money and threatened to kill him otherwise. Such incident has happened with him before a year ago, they broke into his house, choked his neck, beat him severely, and forcibly demanded money. They repeatedly subjected to such treatment. They can kill him anytime for money. They are demanding a ransom of Rs. One Crore by forcing him to sell his land. His live is in constant danger. Therefore, requested to take legal action. On the basis of the written report of the informant, an F.I.R. was lodged under Sections 126(2), 115(2), 109, 303(2), and 351(2) read with Section 3(5) of the B.N.S. and Section 27 of the Arms Act.

Perused the record and the case diary. On perusal of the entire record, it appears that F.I.R. was registered under Sections 126(2), 115(2), 109, 303(2), and 351(2) read with Section 3(5) of the B.N.S. and Section 27 of the Arms Act. So far, the case diary is concerned, the prosecution version prima facie finds support from the witnesses recorded in the case diary. Injury report of the injured is annexed with the case diary and as per which the informant/injured sustained simple injury. There is case and counter case between the parties. It also appears that all the Sections are bailable except Section 109 of the B.N.S. and Section 27 of the Arms Act. It is also stated by the witnesses in the case diary that due to transaction of money, this

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occurrence was committed and both the sides are close relatives. Apart from that, it is submitted and claimed on behalf of the petitioners that they have clean antecedents and case diary paragraph no. 35 also reveals the same. The investigation in the case is still going on.

Having considered aforesaid including the facts and circumstances of the case, clean antecedents of the petitioners, case and counter case between the parties, and the nature of allegation alleged against the petitioners, this court finds that this is fit case in which anticipatory bail should be granted to the above-named petitioners. Accordingly, the above-named petitioners **Madan Singh @ Sadan Kumar and Hariom Kumar**, are directed to be released on bail, in the event of their arrest or surrender within 30 days from the date of order/production of 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 laid down under Section 482(2) of the B.N.S.S. and further conditions that (1) One of the bailors must be from the native place of the petitioners (2) The petitioners shall file undertaking/affidavit 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 and **physically present on each and every date till framing of charge**, and violation of the aforesaid conditions will arise an occasion to cancel the bail bonds of the petitioners.

(Dictated)

Sd/

(Kshiprachala Anjalee)

Addl. Sessions Judge-II, Danapur.

