

**IN THE COURT OF 01st DISTRICT & ADDL. SESSIONS JUDGE
ROHTAS AT SASARAM**

**ANTICIPATORY BAIL PETITION NO. 558 of 2026
(Arising out of Dalmiyanagar P.S Case No. 192 of 2025)**

IN THE MATTER OF:-

1. **Guddu Kumar @ Guddu Gond**, Aged about 28 years
 2. **Rahul Kumar @ Rahul Kumar Gond**, Aged about 21 years
Both S/o Late Subhash Chandra @ Subhash Gond
 3. **Madhu Devi @ Madhu Kumari**, Aged about 29 years
D/o Late Subhash Chandra @ Subhash Gond
 4. **Gudan Kumari @ Gudani Kumari**, Aged about 20 years
D/o Badelal Gond @ Badak Gond
 5. **Pawan Kumar Gond @ Pawan Kumar**, Aged about 19 years
S/o Chhotelal Gond @ Chhotelal
All R/o Village :- Ratu Bigha, P.S. Dalmiyanagar
District Rohtas
- Petitioners.
- Versus
- The State of Bihar
- Opposite Party.

For the Petitioners : Mr. Surendra Kumar Gupta, Ld. Advocate.
For the O. P. (State) : Mr. Upendra Singh, Ld. P.P.

ORDER

29.04.2026 The anticipatory bail application is preferred u/s 482 of the Bharatiyaa Nagarik Suraksha Sanhita, 2023 on behalf of the accused / petitioners namely **1. Guddu Kumar @ Guddu Gond, 2. Rahul Kumar @ Rahul Kumar Gond, 3. Madhu Devi @ Madhu Kumari, 4. Gudan Kumari @ Gudani Kumari** and **5. Pawan Kumar Gond @ Pawan Kumar** in connection with Dalmiyanagar P.S. Case No. 192 of 2025 for the offence under Section 126 (2), 115(2), 76, 352, 351 (2), 3 (5) of Bharatiya Nagarik Sanhita, 2023. The parties have already been heard. The order follows:-

The prosecution version, in nut-shell, on the basis of hand written application of the informant namely Soni Devi stating therein that on 04.09.2025 at about 09:30 hours, her daughter had gone to teaching in Sahu Jain High School, then the accused persons named mentioned in the FIR were speaking abusive language, further, the daughter of the informant came to her home, stated the same and thereafter, the informant came to inquired it and went to petitioner's house, then they were abused with them and the informant came back to her house. At about 07 'O' clock in the evening, pre-plan all the accused persons came the house of the informant and abusing, assaulted, then Guddu and Rahul open informant's saree and damages the house articles and thereafter all the family members named mentioned in the FIR came there and assaulted the informant and threatening we will kill you and throw you in the canal and said for implicate in Harijan case and Rs. 3000/- took away from box.

The learned counsel for petitioners / accused persons reading out the contents of FIR, has submitted that the petitioners are quite innocent and have committed no offence rather have been falsely implicated in this case due to ulterior motive. No occurrence

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took place stated in the FIR and prosecution story is false and absurd. It is further submitted that except 76 B.N.S. other sections are bailable and Section 76 B.N.S. is super addition only to make the case non bailable and the informant falsely implicated all family members. The informant and her family member are in habit to filing false cases against the petitioners. Lastly, it is submitted that this is a case of simple abuse and assault, according to FIR.

Per contra, the Ld. P.P appearing for the State has opposed the prayer and has submitted that the allegation against the accused persons / petitioners are direct and very serious in nature, therefore, prayed to refuse the prayer of anticipatory bail.

After paying due attention to the averments of both the parties, it goes to appear that the petitioners are facing allegation u/s 126 (2), 115(2), 76, 352, 351 (2), 3 (5) of the B.N.S, 2023. From perusal of the case record alongwith case diary, it appears that alleged all sections are bailable in nature except allegation under Section 76 of B.N.S., 2023. From perusal of para 26, 27, 28 and 45 of the case diary, it appears that witnesses have not supported the incidents of allegation of u/s 76 of B.N.S., 2023. It further appears that the case has been lodged by the informant simply in annoyance to the case lodged on behalf of petitioners under SC/ST Act against the persons of informant side. This Court of the view, it is a fit case to extend the privileges of anticipatory bail. As such this Court is of the opinion that the petitioners / accused persons may be extended the privileges of anticipatory bail on furnishing bail bonds of worth of Rs. 10,000/- with two sureties of the like amount, in the event of their arrest or surrender, before the trial Court, to its satisfaction within a period of four weeks from the date of this order, with a further condition to be undertaken u/s 482 (2) of Bharatiya Nagarik Suraksha Sanhita, 2023. Accordingly, the prayer for anticipatory bail is **allowed**.

(Dictated)

(Illegible)

I/C, 1st District & Additional Sessions Judge,
Rohtas at Sasaram
29.04.2026

Date of order	29.04.2026
Uploading date	30.04.2026
Uploaded by	Sanjeev Kumar (Stenographer)