

IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-V, SAHARSA

Dated, Saharsa, the 21st May, 2026

**Present:- Mohd. Tarique Mustafa, District & Addl. Sessions Judge-V, Saharsa
A.B.A No. 397/2026 (Arising out of Patarghat P.S. Case No. 30/2026)**

Kishori Sharma and Others.....Petitioners Vs State of Bihar

In the matter of :-

1. Ramchandra Sharma S/o- Late Gunilal Sharma

2. Punam Devi W/o- Ramchandra Sharma

3. Kishori Sharma S/o- Late Gunilal Sharma

4. Mala Devi @ Mola Devi W/o- Kishori Sharma

all resident of Village – Jamhra, Bind Toli, W.No. 01, P.S- Patarghat, District- Saharsa.

.... Petitioners

Vs

State of Bihar

.....Opposite Party

Appearance :-

For the Petitioners :- Sri Naveen Kumar, Advocate

For the State :- Sri Kameshwar Prasad, Ld. A.P.P.

Date of proceeding	Order with the signature of the court	Office action taken with date
21.05.2026	This anticipatory bail petition has been filed on behalf of the petitioners namely 1. Ramchandra Sharma 2. Punam Devi 3. Kishori Sharma 4. Mala Devi @ Mola Devi who are apprehending their arrest in connection with Patarghat P.S. Case No. 30/2026 registered for the offences punishable under Sections 126(2), 189(2), 191(2), 191(3), 190, 281, 223, 132 of B.N.S. 2. Heard the arguments of the learned counsel for the petitioners and the learned A.P.P. for the State. 3. It is submitted by the learned counsel for the accused petitioner that petitioner No. 1 Ramchandra Sharma has withdrawn his application on 29.04.2026 and vide order dated 29.04.2026 petition was partly dismissed as withdraw qua Ramchandra Sharma. As far as other petitioners are concerned, they are quite innocent. That no bail application has earlier been filed on behalf of these petitioners either before this court or	

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<u>Cont/2</u> <u>21.05.2026</u>	before the Hon'ble High Court. That petitioners bears one criminal antecedent vide Patarghat P.S case No. 29/2026. That there is no any specific allegation are available in the written petition of the informant regarding the allegation alleged in the written petition of the informant. That there is no any obstruction created by these petitioners with the public officer i.e. police officer, hence the section 223 of the BNS is not applicable in this case against these petitioners. That petitioners have falsely been implicated in this case. They are ready to abide by the conditions which may be imposed by this court thus it was prays that petitioners may be given privilege of pre-arrest bail. 4. On the other hand, the learned A.P.P. has vehemently opposed the prayer of anticipatory bail. 5. Rival submissions considered, Record perused. 6. The Case of prosecution as per self-statement of S.I Nidhi Gupta is that on 09.02.26 at 14:00 hrs, in the process of freeing the tempo driver who was held hostage by the family members of the injured in the road accident that took place in Jamhra Ward No. 01 on the night of 07.02.26, a clash took place between the police and the family members of the injured in the road accident and other local villagers. After taking the injured tempo driver Vikas Kumar, SHO Shashi Kumar and other police personnel to the Primary Health Centre, Patarghat for treatment, information was received that the local villagers of Jamhra Ward No. 01 and the family members of the injured in the road accident have blocked the traffic by placing bamboo sticks near the bridge in Jamhra Ward No. 01. Due to the traffic disruption, pedestrians, common people,	
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<u>Cont/3</u> <u>21.05.2026</u>	travelers and patients are facing a lot of trouble. In connection with the information received, senior officials were informed. Upon receiving the information, (1) Sub-Divisional Police Officer, Sadar (2) Sub-Divisional Magistrate, Sadar (3) Block Development Officer, Patarghat (4) Circle Officer, Patarghat (5) Police Inspector, Sadar, along with adequate police force, arrived at the police station. The entire force departed the police station at 14:30 to remove the road blockade created by the family members of the accident victim and other local villagers near Jamhara Ward No. 1 and to take legal action. The entire force arrived at the site of the road blockade at 14:45 and the accompanying senior officials attempted to persuade the people who had been blocking the road. After approximately one hour of persuasion, the road blockage was cleared and traffic was restored. Videos taken by police officers and obtained through other sources were verified. During verification, those involved in the road jam were (1) Shyam Sundar Sharma (2) Ramchandra Sharma (3) Kishori Sharma, all four fathers of late Gunilal Sharma (4) Arun Kumar, father of Ramchandra Sharma (5) Vilakshan Mahato (6) Jhakas Mahato, both fathers of Medi Mahato (7) Sintu Kumar (petitioner) (8) Pankaj Mahato, both fathers of Birchhu Mahato alias Ramvriksh Mahato (09) Rani Devi, wife of Ranjit Sharma (10) Sulekha Devi, wife of Shyam Sundar Sharma (11) Punam Devi, wife of Ramchandra Sharma (12) Mala Devi, wife of Kishori Sharma (13) Ranveer Sada, father of Kutauhiya Sada alias Harinandan Sada (14) Bhanu Sada, father of Jamun Sada (15) Rama Mahato (16) Chhedi Mahato, both fathers of Udhho Mahato	
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<u>Cont/4</u> <u>21.05.2026</u>	(17) Mohan Mahato, father of Amir Mahato (18) Sohan Mahato (19) Brihaspati Mahato, all three fathers of Amir Mahato (20) Ranjin Yadav, son of Sitaram Yadav (21) Deepak Yadav, son of Sudama Yadav (22) Mukesh Yadav (23) Rupesh Yadav both father Hilas Yadav (24) Vijay Yadav father Jogi Yadav (25) Chalitar Yadav (26) Ramji Yadav both father Garbhu Yadav (27) Yogendra Mahato father Dularchand Mahato (petitioner) (28) Chandan Paswan father Jagdish Paswan (29) wife of Rambhu Mahato (30) wife of Radhe Mahato (31) wife of Rama Mahato (32) wife of Mangan Thakur (33) wife of Akal Mahato (34) son of Rama Mahato (35) son of Vakil Mahato (36) Vivek Kumar Bind (37) Jai Kumar father Tuntun Mahato (38) Tuntun Yadav, father Krishnadev Yadav alias Vishnudev Yadav, (39) Md. Mohajid, father Md. Mulajid (40) Rakesh Sharma, father Jaiprakash Sharma (brother-in-law of Ranjit Sharma) (41) Indal Kumar, father Shyam Sundar Yadav (42) Raja Paswan, father Arjun Paswan (43) Neelam Devi, wife of Chandan Paswan, could be immediately verified. Verification of about 100 other unidentified people involved in the road blockage incident is underway. 7. Further as per FIR, it transpires that petitioners are named accused. As per FIR, there is general and omnibus allegation against the petitioners is of obstructing the traffic and blockade the road and act appears to be a part of protest. Further as per materials available on record, it appears that no any public property has been damaged in the said incident. Further, petitioners are seen in the videography only standing there and no any overt act has been found on the part of these petitioners in the	
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alleged offence. There is no material on the record to show in what manner the present petitioners have created hindrance in discharge of public duty.

8. Considering the facts and circumstances of this case, the anticipatory bail petition of petitioners 2. **Punam Devi** 3. **Kishori Sharma** 4. **Mala Devi @ Mola Devi** is hereby **allowed** and it is ordered that in the event of arrest/surrender within three weeks from the production of copy of order they will be enlarged on anticipatory bail on furnishing by them bail-bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below subject to the conditions as laid down u/s 482(2) of BNSS.

(Dictated)

Sd/-

(Mohd. Tarique Mustafa)
District & Addl. Sessions Judge-V,
Saharsa

Date of Judgement/Order	21.05.2026
Date of Reserving Judgement/Order	21.05.2026
Uploading Date	
Uploaded by	Ujjawal Kumar (Stenographer)