

COURT OF ADDITIONAL DISTRICT & SESSIONS JUDGE- IIIrd, SAHARSA
Present-Chandan Kumar
Anticipatory Bail Application No.-399/2026
Arising out of Bihra P.S. Case No.- 256/2025

Om Kumar & 10 others

Petitioners

Versus

State of Bihar

Opp. Party

Date of order or proceeding	Order with signature of the court	Office action taken with date
23.06.2026	1. The present anticipatory bail petition has been filed on behalf of petitioner 1. Om Kumar, 2. Becho Yadav, 3. Balram Yadav, 4. Santosh Kumar, 5. Laltu Yadav, 6. Nitish Kumar, 7. Kishori Yadav, 8. Arjun Yadav, 9. Saryug Yadav and 10. Guneshwar Yadav apprehending their arrest in connection with Bihra P.S. Case No.- 256/2025 registered for the offences punishable U/Ss 191(2), 191(3), 190, 126(2), 127(2), 326(1), 115(2), 74, 109, 303(2), 351(2) and 351(3) of BNS. The record has been put up for hearing 2. Heard Sri Sudesh Kumar Singh learned counsel for the petitioner as well as learned A.P.P. Sadanand Yadav for the State. Further during course of hearing learned counsel for the petitioner submitted that in this case one of the accused petitioner Sawan Yadav who is petitioner no.-6 has been arrested during pendency of this bail application and thus the petition with respect to said Sawan Yadav may be allowed to be withdrawn as infructuous with respect to him. Considering the aforesaid version the prayer for bail with respect to Sawan Yadav who is petitioner no.-6 is hereby dismissed as withdrawn on account of arrest of the said accused Sawan Yadav. Thus hearing was made on this bail application with respect to other nine accused persons mentioned in the bail application. 3. The case of prosecution in brief as per typed written information of Abhinandan Yadav said to be resident of Dumma, PS- Bihra, Dist- Saharsa is that on 21.10.2025 at about 09:00 AM from his doorstep, his son Prashant Kumar aged about 13 years was forcibly taken away by accused persons namely 1. Hariom Kumar, 2. Sriom Kumar, 3. Becho Yadav, 4. Balram Yadav, 5. Santosh Kumar, 6. Laltu Kumar, 7. Sawan Yadav, 8. Nitish Kumar, 9. Kishori Yadav, 10. Arjun Yadav, 11.	

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contd. 23.06.2026	Saryug Yadav, 12. Guneshwar Yadav and seven to eight unknown persons and on making protest Santosh with intention to kill gave blow of butt of gun on his(informant's) person causing head injury, when her daughters namely Priya and Chandani came for rescue then Becho Yadav gave blow of iron rod on their person, Hariom used butt of pistol while during course of incident his son Prashant sustain injury on account of blow of iron rod by Laltu Kumar. Further in said incident Hariom made firing to which his(informant's) son sustained injury on his head while Nitish made blow on the person of Chandeshwari Yadav said to be informant's cousin. Further in said incident Arjun Yadav gave blow of dabiya on informant's younger brother Shivnandan Yadav while nephew Sanjay Yadav sustain injury on account of blow of iron rod by Kishori Yadav. Furthermore in the incident Nitish subjected assault on the person of Pramod Yadav to which he sustained head injury while Becho Yadav gave blow of iron rod on Kapil Yadav. Further Bijo Yadav and Bindeshwari Yadav got injury on account of blow made by Balram Yadav and Laltu Kumar while Parmanand was subjected to assault by Santosh Kumar while in said course Om Kumar caused damaged to the property and took away the cash. Further the injured were taken to Panchgachia PHC by the police and were then referred to Sadar Hospital Sahara for better treatment. 4. Learned counsel submitted that petitioners are innocent and have committed no offence. Further he submitted that no other bail application has been filed in this Court or before the Hon'ble High Court. Further he submitted that their lies land dispute between the parties and the present case is counter blast of Bihra PS Case No.-255 of 2025. Further in para-3 of the bail petition it is stated that petitioners are having criminal history but in said para details of cases of accused petitioners are not mentioned and later on a petition dated 27.05.2026 has been filed with regard to details of cases but still without mentioning the names as to whom and further in said petition it has been stated that the name of Hariom Kumar . Further he	
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continued 23.06.2026	submitted that injury was sustain on the person of the members of both sides and also their lies land dispute between the parties. Further he submitted that petitioners are man of means and there is no chance of their absconding nor tampering with the evidence. The petitioners are ready to furnish the sound sureties to the full satisfaction of the learned Court. Lastly, it is submitted that petitioner deserve anticipatory bail. 5. On the contrary learned A.P.P. vehemently opposed the prayer for pre-arrest bail. Informant in this case has appeared and opposed the prayer for bail of the petitioner. 6. Perused the record. It appears that in this case several persons got injured on account of indiscriminate assault being subjected to the informant and other injured by the accused persons. Further the injury report of the injured namely 1. Sitaram Yadav, 2. Chandeshwari Yadav, 3. Maheshwari Yadav, 4. Pramod Kumar, 5. Prashant Kumar, 6. Shivnandan Yadav, 7. Priya Kumari, 8. Vijay Yadav, 9. Abhinandan Kumar, 10. Parmanand Yadav, 11. Kapildev Yadav, 12. Chandani Kumari, 13. Sanjay Kumar and 14. Bideshwari Yadav, 15. Puja Kumari is there on record and it appears that all the injured have sustained multiple injuries on their person and amongst them the injury on the person of six persons namely Sitaram Yadav, Bindeshwari, Maheshwari, Abhinandan Yadav, Sanjay Kumar are grievous injuries. Further it appears that the genesis of the incident is the land dispute but still at this stage it could not be ascertained as to who is the actual aggressor. Beside it from para-43 it appears that Santosh, Balram, Laltu, Nitish, Arjun are having criminal antecedents and so far with regard to accused persons Becho Yadav, Kishori Yadav, Guneshwar Yadav, Saryug Yadav also a petition supported with an affidavit filed on behalf of informant was filed during course of the hearing on 21.05.2026 showing their criminal antecedents as well as criminal antecedent of the accused persons namely Santosh, Balram, Laltu, Nitish, Arjun. Further the complicity of the petitioners transpires from the statement of the witnesses in the case diary and the material on	
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contd. 23.06.2026	record shows that the alleged incident took place in furtherance of common intention of all the accused petitioners. Beside it the case is still under investigation. 7. Considering the facts and circumstances and the seriousness of the offence and also the manner of assault and the multiple injuries, I am not inclined to enlarge the petitioner on pre-arrest bail and hence the prayer for anticipatory bail of petitioners namely 1. Om Kumar, 2. Becho Yadav, 3. Balram Yadav, 4. Santosh Kumar, 5. Laltu Yadav, 6. Nitish Kumar, 7. Kishori Yadav, 8. Arjun Yadav, 9. Saryug Yadav and 10. Guneshwar Yadav is hereby rejected. (Dictated & corrected by me) Sd/- (Chandan Kumar) Addl. Sessions Judge III	
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