

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, SAHARSA

Dated, Saharsa, the 10th June, 2026

Present:- Dinesh Sharma, Principal District & Session Judge, Saharsa

A.B.P. No. 520/2026 (Arising out of Chiraiya P.S. Case No. 9/2026)

Mukesh Kumar & 4 Others

..... Petitioners

Vs State of Bihar

In the matter of :-

1. Mukesh Kumar S/o Ramlagan Nishad
2. Rupesh Kumar S/o Ramlagan Nishad
3. Arjun Nishad S/o Late Pannelal Nishad
4. Karan Kumar S/o Ramlagan Nishad
5. Samphul Devi W/o Arjun Nishad

All resident of Village Alani, P.S. Chiraiya, District Saharsa.**Petitioners**

Vs

State of Bihar

.....**Opposite Party**

Appearance :-

For the Petitioners :- Sri Tapendra Yadav, Advocate

For the State :- Sri Krishna Murari Prasad, Ld. P.P.

Sl. No.	Date of proceeding	Order with the signature of the court	Office action taken with date
	10.06.2026	This anticipatory bail petition has been filed on behalf of the petitioners namely (1) Mukesh Kumar S/o Ramlagan Nishad, (2) Rupesh Kumar S/o Ramlagan Nishad, (3) Arjun Nishad S/o Late Pannelal Nishad, (4) Karan Kumar S/o Ramlagan Nishad and (5) Samphul Devi W/o Arjun Nishad who are apprehending their arrest in connection with Chiraiya P.S. Case No. 9/2026 registered under Sections 109(1), 191(2), 126(2), 115(2), 118(1), 117(2), 303(2) of BNS, 2023. 2. Heard the arguments of the learned counsel for the petitioners and the learned P.P. for the State. 3. It is submitted by the learned counsel for the accused petitioners that petitioners are innocent and has falsely been implicated in this case. It is further submitted that the petitioners bears no criminal antecedent. It is further submitted that Section 109 and 303(2) of BNS 2023 are added to make the case graver and non-bailable. It is further submitted that petitioner has no manner of concern with the alleged incident. It is further submitted that petitioners are men and woman of means and there is no chance of their absconding or tampering with the evidence and they are ready to furnish sound	

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<u>Cont/2-</u> <u>10.06.2026</u>	sureties to the learned court. Upon these grounds, the learned counsel prays to grant anticipatory bail to the petitioner. 4. On the other hand, the learned P.P. for the State opposed the prayer of anticipatory bail. 5. Rival submissions considered, Record perused. 6. The prosecution case as per typed report of informant Sajan Kumar is that on 17.02.2026 at about 11:00 P.M. in the night he alongwith Vikash Kumar and Adison Kumar were returning from the house of Gautam Kumar after having Bhoj. After coming a little distance on the road Mukesh Kumar, Rupesh Kumar, Karan Kumar and Arjun Nishad were sitting in ambush. Seeing this people returning after having dinner Rupesh Kumar fired at Sajan Kumar by three not which passes by. Thereafter Mukesh Kumar with intention of killing assaulted on his head by iron rod due to which his head got lacerated and blood started oozing. Thereafter Karan Kumar and Arjun Nishad assaulted on the head of Vikash Kumar by iron rod due to which his head also got lacerated. On raising alarm nearby villager came there and pacified the matter. Thereafter called on Chiraiya P.S. from Mobile No. 7870697650 then at 06:30 in the morning while going to the Police Station with the injured as soon as came out the gate then suddenly all the accused persons armed with lathi, danda, three-not, khanti and brick again assaulted him. Uday Kumar assaulted Jaymala Devi due to which her leg got fractured and Ranjit Nishad and Samful Devi assaulted her mother Anjana Devi by lathi and rod. Rekha Devi took out gold ear ring worth Rs. 75,000/- from the ear of Jaymala Devi. The injured persons were treated at Sadar Hospital, Saharsa. 7. As per the supervision note there is case and counter case between the parties. The allegation of snatching of jewelry and cash is found not true. No	
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bullet or empty khokha was found from the spot. The investigation is silent on the point of firing. The injury sustained by all the injured persons are simple in nature except injury of Jaymala Devi who has suffered fracture in lower shaft of left tibia and fibula with displacement. The injury is on the non-vital part of the body. The petitioners side have also sustained injury. The petitioners bears no criminal antecedent as mentioned in para 33 of the case diary.

8. Considering the totality of the facts and circumstances, the prayer for anticipatory bail of petitioners namely (1) **Mukesh Kumar**, (2) **Rupesh Kumar**, (3) **Arjun Nishad**, (4) **Karan Kumar** and (5) **Samphul Devi** is **allowed** and in the event of arrest or surrender of the petitioners within a period of four weeks from today, they are directed to be released on bail subject to their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties in the like amount each to the satisfaction of the learned jurisdictional Magistrate where the case is presently pending, further subject to the conditions as laid down u/s 482(2) of BNSS.

(Dictated)

Sd/-

(Dinesh Sharma)

Principal Sessions Judge,

Saharsa

10.06.2026

Date of Judgement/Order	10.06.2026
Date of Reserving Judgement/Order	08.06.2026
Uploading Date	15.06.2026
Uploaded by	Sachin Kumar