

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE, SAHARSA

Dated, Saharsa, the 05th June, 2026

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

A.B.P. No. 528/2026 (Arising out of Mahishi P.S. Case No. 42/2026)

Anand Kumar Deepak & 6 Other

... Petitioners Vs State of Bihar

In the matter of :-

1. Anand Kumar Deepak S/o Tapeswar Kumar Deepak
2. Mithilesh Kumar Bharti S/o Sita Ram Bharti
3. Jayram Paswan S/o Late Chathhu Paswan
4. Satyam Kumar Deepak S/o Harichandra Paswan
5. Manish Paswan S/o Vijay Paswan
6. Harichandra Paswan S/o Late Chhathu Paswan
7. Raju Kumar Deepak S/o Jayram Paswan

All resident of Village Bhagwatpur, P.S. Mahishi, District Saharsa.

....Petitioners

Vs

State of Bihar

.....Opposite Party

Appearance :-

For the Petitioners :- Sri Suresh Prasad 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
	05.06.2026	This anticipatory bail petition has been filed on behalf of the petitioners namely (1) Anand Kumar Deepak S/o Tapeswar Kumar Deepak, (2) Mithilesh Kumar Bharti S/o Sita Ram Bharti, (3) Jairam Paswan S/o Late Chathhu Paswan, (4) Satyam Kumar Deepak S/o Harichandra Paswan, (5) Manish Paswan S/o Vijay Paswan, (6) Harichandra Paswan S/o Late Chhathu Paswan, (7) Raju Kumar Deepak S/o Jayram Paswan who are apprehending their arrest in connection with Mahishi P.S. Case No. 42/2026 registered under Sections 191(2), 190, 329(3), 329(4), 126(2), 115(2), 75, 324(2), 303(2), 352, 351(2), 351(3) of BNS, 2023. 2. Heard the arguments of the learned counsel for	

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<u>Cont/2</u> <u>05.06.2026</u>	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 there both parties are next door neighbours and there is case and counter case between them. It is further submitted that section 303(2) of BNS, 2023 are added to make the case graver and non-bailable. It is further submitted that petitioners are men of means and there is no chance of their absconding or tampering with the evidence in this case and they are also ready to furnish sound sureties to the full satisfaction of the learned court. Upon these grounds, the learned counsel prays to grant anticipatory bail to the petitioners. 4. On the other hand, the learned P.P. has vehemently opposed the prayer of anticipatory bail. 5. Rival submissions considered, Record perused. 6. The prosecution case as emerges from the written application of informant Kundan Devi is that on 11.02.2026 at about 08:00 O'clock when she was sitting with her family then co-villager Tapeswar Kumar Deepak, Satyam Kumar Deepak, Anand Kumar Deepak, Raju Kumar Deepak, Jayram Paswan, Harichandra Paswan, Arvind Paswan, Jitendra Kumar, Manish Paswan, Rekha Devi, Renu Devi, Sita Devi, Munni Devi, Mithilesh Kumar armed with deadly weapons came her door and surrounded the courtyard of her house and asked that where is her son Sachin Kumar who has eloped his bhagini. On which she stated that she did not know then Tapeswar Kumar Deepak and Satyam Kumar Deepak and Raju Kumar Deepak knocked down on the ground by catching her hairs and started	
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<u>Cont/3</u> <u>05.06.2026</u>	assaulting. Renu Devi assaulted her with fists and kicks. On the order of Tapeswar Kumar Deepak the accused persons committed loot in her house, damaged the motor-cycle and tempo and demolishing her house. The accused persons also took out Rs. 10,000/- from the box kept in her house. The accused persons threatened to implicate her in Harijan Act case if she lodge case in police station. 7. The petitioners are named accused in FIR. There are allegations of assault on the informant who is a lady. The accused persons used vulgar languages while assaulting the lady informant. There are also allegation that the husband and son of the informant was abducted by the accused persons and as per para 69 of the case diary, the husband of the informant was released after the intervention of the police. 8. As per para 71 of the case diary the co-accused Tapeswar Kumar Deepak and his family members have created a law and order situation by abusing the informant and her family members. It is further mentioned in para 71 of the case diary that the petitioner is demolishing the house. The paragraph no. 71 of the case diary is written on the information of S.H.O., Mahishi P.S. 9. Perusal of case diary shows that there is a heavy deployment of police force which shows that the petitioners have created law and order situation in the village. The police personnel are visible in para 74 and 75 of the case diary. There are also allegation of taking away of jewelry and Rs. 10,000/-. The jewelry and the money is yet to be recovered. 10. Considering the totality of the facts and circumstances, this is not a fit case to grant anticipatory bail to petitioners. Resultantly the instant anticipatory bail petition of the petitioners namely (1) Anand Kumar Deepak, (2) Mithilesh Kumar
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Cont/4
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Bharti, (3) Jairam Paswan, (4) Satyam Kumar Deepak, (5) Manish Paswan, (6) Harichandra Paswan and (7) Raju Kumar Deepak is hereby rejected.

(Dictated)

Sd./-

(Dinesh Sharma)

Principal Sessions Judge,

Saharsa

05.06.2026

Date of Judgement/Order	05.06.2026
Date of Reserving Judgement/Order	05.06.2026
Uploading Date	11.06.2026
Uploaded by	Sachin Kumar

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