

COURT OF DISTRICT & ADDL. SESSIONS JUDGE III, SAHARSA

A.B.P. No.- 543/2026

Arising out of Saur Bazar PS Case No.- 200/2023

Vimal Sharma

Petitioner

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 application has been filed on behalf of accused petitioner namely Vimal Sutihar apprehending his arrest in connection with Saur Bazar PS Case No.-222/2022 for the offences punishable u/s 341, 323, 307, 354, 385, 504, 506 and 34 of IPC. Put up for hearing. 2. Heard Sri Ramesh Kumar, learned counsel for petitioner as well as Sadanand Yadav, learned A.P.P. for the State. 3. The case of prosecution in brief as per fardbayan of Jagdish Sutihar is that on 26.04.2022 at about 21 hours his nephew Naresh Kumar was on way from Baijnathpur to house after closing his saw and when reach near the road adjacent to the house accused persons named Vimal Sutihar and Sanyog Kumar intercepted him on account of previous and dispute. Further case is that Bimal Sutihar instigated others upon which his wife Rukmani Devi take out country-made pistol and handed over the same to her husband who in turn to pointed the same on the head of her son. Further on commotion, he(informant) reach to the place of incident upon which exchange a words and scuffle took place and then the accused persons namely Nakchedi Sutihar @ Arjun Sutihar having farsa, Kailash Sutihar having sword, Mangal Sutihar having stick, Gaju Sutihar having farsa, Purushottam Sutihar having axe, Pandav Kumar having lathi and Dev ji having lathi said to be co-villagers came and subjected assault and in said course accused Sanyog Kumar made firing when her daughter-in-law came for rescue, she too have been	

COURT OF DISTRICT & ADDL. SESSIONS JUDGE III, SAHARSA

A.B.P. No.- 543/2026

Arising out of Saur Bazar PS Case No.- 200/2023

Contd. 23.06.2026	subjected to assault and also disrobed her while accused Gajo gave blow of farsa on her to which blood oozed out. Further allegation is that accused persons were making demand Rs. 30,000/- as extortion for allowing them to reside the house. 4. Counsel for the petitioner has argued that earlier no bail petition either regular or anticipatory has been filed in this Court or before the Hon'ble High Court. Further it is submitted that the petitioner is having clean antecedent. Learned counsel further submitted that petitioner is innocent and have been falsely implicated in this case. Further he submitted that no specific allegation is there against the present petitioner and further stated that co-accused Sanyog Kumar against whom there is allegation of alleged firing has earlier been granted regular bail from the court of CJM, Saharsa vide order dated 18.03.2026. 5. Learned counsel for the state opposed the prayer for bail. 6. Perused the record. On perusal of the record, it appears that the present case has been registered for the alleged incident of assault which from the material available on record appears to have taken place on account of land dispute. Further it appears that for the incident of same date of 26.04.2022, a cross case vide Saur Bazar(Baijnathpur) PS Case No.-223 of 2022 has been registered at the instance of Anita Devi said to be wife of co-accused Nakchedi Sutihar of the present case against accused persons including Naresh Sutihar said to be nephew of the informant of the present case named Jagdish Sutihar. Further the independent witnesses have categorically stated as to the incident taking place on account of land dispute for which partition suit no.-350 of	
----------------------	--	--

COURT OF DISTRICT & ADDL. SESSIONS JUDGE III, SAHARSA

A.B.P. No.- 543/2026

Arising out of Saur Bazar PS Case No.- 200/2023

continued. 23.06.2026	2022 has been instituted on behalf of the informant side of present case. Beside it from para-26 and 27 of the case diary it appears that the nature of injuries on the person of injured namely Jagdish Sutihar and Usha Devi have been opined by the doctor as simple in nature. Further there is nothing on record to show any sign of alleged firing on the spot as per the case diary available till record. Beside it from para-65 it appears that the present petitioners are having clean antecedent and also the co-accused Sanyog Kumar has already been granted bail from the court of CJM vide granted regular bail from the court of CJM, Saharsa vide order dated 18.03.2026. 7. In view of the facts and circumstance of the case I find it appropriate to give privilege of bail to the petitioner. Let the petitioners namely Bimal Sutihar be released on bail in the event of their arrest or surrender in the court below within four week on their furnishing bail-bond of Rs. 10,000/- with two sureties of like amount to the satisfaction of the concerned court and also subject to the conditions as laid down under section 482(2) of BNS. (Dictated & corrected by me) Sd/- (Chandan Kumar) Additional Sessions Judge-III	
--------------------------	--	--

COURT OF DISTRICT & ADDL. SESSIONS JUDGE III, SAHARSA

A.B.P. No.- 543/2026

Arising out of Saur Bazar PS Case No.- 200/2023

23.06.2026		