

COURT OF DISTRICT & ADDL. SESSIONS JUDGE III, SAHARSA
Present- Chandan Kumar
A.B.A. No.-556/2026
Arising out of Saur Bazar PS Case No.- 320/2025

Birbal Sada & 7 other

Petitioners

Versus

State of Bihar

Opp. Party

Date of order or proceeding	Order with signature of the court	Office action taken with date
17.06.2026	1. The present anticipatory bail application has been filed on behalf of accused petitioners namely 1. Birbal Sada, 2. Shiv Narayan Sada, 3. Bhikhari Sada @ Eklavya Kumar, 4. Santosh Sada, 5. Thakko Sada, 6. Rinku Sada @ Rikku Sada, 7. Munna Sada and 8. Mantosh Sada @ Kaushal Kumar apprehending their arrest in connection with Saur Bazar PS Case No.-320/2025 for the offences punishable u/s 126(2), 115(2), 303(2), 109(1), 352, 351(2) and 3(5) of BNS. Put up for hearing. 2. Heard Sri Bipin Prakash, learned counsel for petitioners as well as Sadanand Yadav, learned A.P.P. for the State. 3. The case of prosecution in brief as per written information of Bijli Devi is that on 30.08.2025 at about 11:00 AM she was involved in cutting grass at her field therein accused persons namely 1. Birbal Sada, 2. Shiv Narayan Sada, 3. Bhikhari Sada @ Eklavya Kumar, 4. Santosh Sada, 5. Thakko Sada, 6. Rinku Sada @ Rikku Sada, 7. Munna Sada and 8. Mantosh Sada @ Kaushal Kumar all can together and starting making filthy language to her and also dragged her by catching her hair. Further in said course Thakko Sada ordered to outrage her modesty upon which Santosh Sada and Mantosh Sada pulled her sari to which she got disrobed while Munna Sada torn her blouse. Further in said course Rikku Sada snatched gold jitiya worth 30,000/-. Further allegation is that Shivnarayan Sada took away her anklet worth Rs. 10,000/-. Further during said course when her husband Bijendra Sada came for her rescue he too has been	

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contd. 17.06.2026	subjected to assault to which her husband sustained injury on hand. 4. Counsel for the petitioners have argued that earlier no bail petition either regular or anticipatory has been filed in this Court or before the Hon'ble High Court. Further he submitted that there is no specific allegation against the petitioners, rather the allegations are general and omnibus. Further it is submitted that petitioner no.-2 and 5 are having one antecedent vide Saur Bazar PS Case No.-182 of 2006 and petitioner no.-1, 3, 4, 6, 7 and 8 are having no criminal antecedent. Further he submitted that the present case is counter blast of Saur Bazar PS Case No.-314 of 2025. Petitioners are ready to furnish the sound sureties to the full satisfaction of the Court. Lastly, it is stated that the petitioners deserve bail. 5. Learned A.P.P. 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 offences including Section 109(2)(3) of BNS appears to have taken place on account of land dispute. Further the allegation against the accused persons are vague and omnibus and the allegation against Thakko Sada is of making assault on the person of Bijendra Yadav, but to that also, as per the injury report itself which is mentioned in Para-39 of the case diary shows that the doctor has opined the nature of injury sustained by Bijendra Yadav is simple on right side of shoulder (non-vital). Further from the material on record it appears that there lies land dispute between the parties which is evident from the statement of independent witnesses mentioned in para-52 and 53 of the case diary. Beside it from para-56 of the case diary it appears that accused petitioners are having clean antecedent except petitioner no.-2 and 5 are	
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contd. 17.06.2026	having two criminal antecedent but to that extent court finds force in the submission for the counsel for the petitioner that criminal antecedent should not be the sole ground for rejection of prayer for bail. 7. Considering the injuries of the injured of the present case the accused petitioners namely 1. Birbal Sada, 2. Shiv Narayan Sada, 3. Bhikhari Sada @ Eklavya Kumar, 4. Santosh Sada, 5. Thakko Sada, 6. Rinku Sada, 7. Munna Sada and 8. Mantosh Sada @ Kaushal Kumar are directed to be released on bail in the event of their arrest or surrender on execution of the bail bonds of Rs.10,000/-(ten thousand) with two sureties each in the like amount by each of them within four weeks of the receipt of this order to the satisfaction of the learned court below subject to the conditions as laid down u/s 482(2) BNSS. (Dictated & corrected by me) Sd/- (Chandan Kumar) Additional Sessions Judge-III	

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