

In the Court of Distt. & Addl. Sessions Judge,I

Rosera , District-Samastipur

Present :- Sri Umesh Kumar

A.B.P. No. 138-C of 2026

(Arising out of Bibhutipur P.S. Case No. 54 of 2026)

Raju Kumar & other.....Accused/Petitioners

Vrs.

State of Bihar.....O.P.

16.03.2026

Heard , Sri Sati Kant Sahani , Ld. Counsel for the accused petitioners and Sri Sita Ram Yadav , Ld.Addl.P.P. for the state on the bail petition filed on behalf of accused 1. Raju Kumar 2. Ganesh Rai alias Yadav 3. Sumitra Devi , who apprehend their arrest in connection with Bibhutipur P.S. Case No. 54 of 2026 , U/s 126(2),115(2),118(1),190(1),117(2),74,303(2),352,351(2),3(5) of B.N.S. , pending in the Court of Ld. S.D.J.M. ,Rosera.

Ld. counsel for the accused petitioners has submitted that petitioners are innocent and have committed no offence but they have falsely been implicated in this case due to enmity and local politics . It has further been submitted that petitioners have got no criminal antecedent . It has further been submitted that no case is made out 118(1),10(1),74 of B.N.S. and there is case and counter case in between the parties . So,he prays to enlarge the accused petitioners on anticipatory bail.

On the other side Ld. Addl.P.P. on behalf of state and Ld. Counsel for the informant have opposed the prayer for bail.

The prosecution case in brief is that one Kundan Kumar filed an written application before the concerned O.C. , P.S. ,stating therein that on 31.01.2026 at 12 'O' Clock when he was at his house , then all the accused persons came at his house armed with iron rod ,and Raju Kumar assaulted upon his head ,but due to which his finger broken ,and other accused persons assaulted to him by means of iron rod ,and later on he was treated at P.H.C.,Bibhutipur ,but on serious he was referred to Sadar Hospital,Samastipur .

From perusal of the case diary it transpires that informant as well as other witnesses have supported the case of prosecution vide para 2,6,7,8,9 of the case diary . It also transpires that injury found on injured is grievous in nature vide para 23 of the case diary . And case is pending for investigation

So, considering the aforesaid facts and circumstances as mentioned above I find that it is not a fit case in which benefit of anticipatory bail be given to the

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16.03.2026 accused petitioners . Accordingly, anticipatory bail petition filed on behalf of aforesaid accused petitioners is hereby rejected .

Addl. Sessions Judge,I