

In the Court of District & Additional Sessions Judge-I
Presiding Officer: Dushyant Kumar
Rosera , District-Samastipur
A.B.P. No. 305C of 2026

(Arising out of Bibhutipur P.S. Case No. 297 of 2025)

Date: 10.06.2026

Shobhit Roy & Another,

.....Accused/Petitioner.

vs.

State of Bihar.

.....Prosecution/O.P.

ORDER

1. The present petition has been filed by the accused petitioner namely, Shobhit Roy and Hare Krishna Roy, seeking anticipatory bail apprehending their arrest in connection with Bibhutipur P.S. Case No. 297 of 2025, registered under Sections 329(3), 329(4), 126(2), 127(2), 115(2), 118(2), 74,76, 109, 331(6), 303(2), 352, 351, 3(5) of BNS.
2. Briefly stated, the case of the prosecution based upon the application of the informant, namely, Shankar Kumar Ray is that on 06.07.2025 at approximately 10:00 PM, while he was sitting at his doorstep at his residence, his middle brother Pheran Rai alias Harekrishna Rai approached him and demanded Rs. 500 for "Ganja". Upon the informant's refusal, the accused began abusing him and left, only to return shortly after with a group of armed associates, namely Shobhit Rai, Rinku Devi, Sonam Kumari, Lakshman Kumar, Bibha Devi, and Pappu Rai. The accused persons, armed with Lathi-Danda, iron rods, and a Khanti, forcibly entered the informant's house and brutally assaulted him. Shobhi Rai struck the informant on the head and shoulder with an iron rod with the intent to kill, while Rinku Devi attacked him with a sickle. When the informant's elderly mother, Panama Devi, and his wife, Nibha Devi, attempted to intervene, they were also physically assaulted and thrown to the ground. Furthermore, it is alleged that Pappu Rai and Lakshman Kumar snatched a gold Mangalsutra and gold earrings from the informant's wife. Upon hearing the commotion, local villagers gathered, prompting the accused to flee the scene.
3. Ld. Counsel for the accused petitioners submits that petitioners are innocent and have committed no offence. It is further submitted that no anticipatory or regular bail petition has been filed by the petitioners. It is further submitted that, though two cases are pending against the petitioners, the present case is false, fabricated, and based purely on imagination. The petitioners are innocent and have committed no offence. They have been falsely implicated due to family and land disputes, as both the informant side and the accused side belong to the same family. It is submitted that, on account of the said land dispute, the informant has instituted the present case only to put pressure upon the petitioners. Ld. Counsel further submits that all the alleged offences are bailable except Sections 74, 76, 109, 118(2), 303(2), and 331(6) of the BNS, which have been added only in an ornamental manner. It is also submitted that accused namely, Rinku Devi, Shonam Kumari and Vibha Devi have been granted bail by this Court vide A.B.P. No. 173/2026. Learned counsel for the petitioners further submitted that the petitioners have two criminal antecedents and lastly prayed that they may be released on bail.
4. On the other hand Ld. APP. on behalf of state opposed the prayer for bail.
5. Perused the records. Instant case has been instituted against the accused including the present petitioners 329(3), 329(4), 126(2), 127(2), 115(2), 118(2), 74,76, 109, 331(6), 303(2), 352, 351, 3(5) of BNS on the allegation that they assaulted the informant and his family

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members and outraged the modesty of the women and took away house-hold articles from home. The injury reports reveal that the informant, Shankar Kumar Rai, sustained a simple injury on his forehead measuring 2 x 0.5 x 0.5 cm, while his mother, Panama Devi, suffered a simple injury measuring 1 x 0.5 x 0.5 cm on her right leg, and his wife, Nibha Devi, sustained a simple injury measuring 1 x 0.5 x 0.5 cm on her shoulder. Perusal of records appear to indicate that both sides belong to same family and altercation took place on minor issues causing the alleged incident. Although the petitioners are specifically alleged to have caused the specific injuries to the injured, but their custodial interrogation for the purpose of investigation of the case does not appear to be necessary at this stage.

6. Considering the aforesaid facts and circumstances of the case including the nature of allegations and injuries and taking into account the background of the case, it appears that custodial interrogation of these petitioners is not warranted in this case at this stage and it would be appropriate to grant them privilege of anticipatory bail.
7. Accordingly, the petitioners, namely Shobhit Roy and Hare Krishna Roy are directed to be released on bail in the event of their arrest or surrender within six weeks from today on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court of the Ld. Magistrate concerned in connection with **Bibhutipur P.S. Case No. 297 of 2025, subject to furnishing of undertaking regarding compliance of the conditions mentioned in Section 482(2) of BNSS.**
8. Let a copy of this order along with the LCR be sent to the Court of the Ld. Magistrate concerned.

Dictated

Sd/-

District & Additional Sessions Judge -1
Rosera, Samastipur

Office of the District & Addl. Sessions Judge-I, Rosera (Samastipur)

Memo No...../ Dated...../

Copy of bail order along with TCR of Bibhutipur P.S. Case No. 297 of 2025 is being sent to the Court of Ld. S.D.J.M. Rosera for information and needful.

District & Additional Sessions Judge -1
Rosera, Samastipur