

In the Court of Dist. & Additional Session Judge-III, Sheohar.

A.B.P. No-167/2026

Arising out of Tariyani PS Case No-30/2024

Present:-Sunil Dut

District & Additional Sessions Judge-III, Sheohar.

1. Sushil Kumar @ Sujit Kumar Gupta, S/o Nawal Gupta @ Nawal Kishor Shah, Aged-about 24 years, R/o Vill-Kushahar, PS-Tariyani, Dist-Sheohar (Bihar) (Petitioner)

V /s

State Of Bihar..... (Opposite Party)

On behalf of State-Md. Arshad Siddque (Ld. APP)

On behalf of defense- Sri Dhiraj Kumar (Ld. Advocate)

Dated-23.04.2026

Order

The anticipatory bail petition dated 13.04.2026 has been filed on behalf of the petitioner namely **Sushil Kumar @ Sujit Kumar Gupta** in connection with Tariyani P.S. Case No. 30/2024 registered for the offence u/s 147, 149, 341, 323, 283, 353, 504, 506 of IPC and the same has been pressed today for hearing.

The prosecution story in nutshell is that informant Sub-Inspector Rajesh Kumar posted as S.H.O. in Tariyani Police Station, on 16.02.2024, at around 17:20, was on patrolling duty, he received information on mobile that some people have blocked the state highway at Sheohar Chowk. After informing the senior officials about the information received, when he reached there, he saw that the state highway has been blocked by using bamboo and *balla*. With the help of eminent persons and Mahal Chowkidar, all F.I.R. named accused namely Rameshwar Mahto, Ranjeet Kumar, mother of Santosh, Vijay Mahto, Gidha Devi, Amod Kumar, Sunil Mahto, Arjun Mahto, Gagandeo Mahto, Randhir Kumar, Satyam Ojha, Sujeet Paswan, Bachu Mahto, Sachin Kumar, Rampravesh Mahto, Pamariya Mahto, Sujay Mahto@Suraj Mahto, Md. Danish, Ranjeet Kumar, Sharwan Kumar, Sumit Kumar, Mintu Kumar Gupta, Sujit Kumar Gupta, Mithu Kumar and other 50 to 55 unidentified persons were blocking the road and raising anti police slogans. Meanwhile, the people who were blocking the road started pushing and shoving the police personnel, seeing which mild force was used, which led to a stampede

continued

23/04/26

in the crowd. Accused Sharvan Kumar, Gagandev Mahato, Mintu Kumar Gupta, Sunil Mahto who were blocking the road were arrested and the blocked state high way was cleared after three hours. Accordingly, the FIR has been registered.

The Learned counsel for petitioner submitted that no other bail petition either regular or anticipatory is pending before this Court or before Hon'ble High Court against the petitioner as mentioned in para-02 of the anticipatory bail petition. The petitioner is innocent, he has committed no offence whatsoever as alleged. The prosecution case is false, fabricated, baseless and concocted. The petitioner has no any criminal as mentioned in para-03 of the peition. All sections areailable except section 353 IPC. Section 353 IPC is ornamental. No specific allegation against this petitioner. Co-accused persons have been granted regular bail vide B.P. no. 62/24, 63/24, 64/24 as well as anticipatory bail by Additional Sessions Judge, vide A.B.P. No. 110/2024, 117/2025, 172/25, 175/25 and the case of the petitioner is also on the same footing. Petitioner is ready to furnish sound sureties as per order of the Court. It is, therefore, prayed that the prayer of anticipatory bail petition of the petitioner be allowed.

The learned APP opposed the anticipatory bail application but conceded that there is no specific allegation against the petitioner and other co-accused in the present case have already been granted regular and anticipatory bail.

Heard both the parties and perused the record.

After perusal of the F.I.R and Case diary, it appears that the case has been instituted u/s 147, 149, 341, 323, 283, 353, 504, 506 of IPC. From perusal of the F.I.R, it appears that there is no direct allegation of assault on the accused petitioner. He only appear to be members of the crowd. Para 120 of the case diary shows that there is no criminal antecedent against the aforesaid accused/petitioner **Sushil Kumar @ Sujit Kumar Gupta** which has also been mentioned in para -03 of the anticipatory bail petition and has been supported

continued

23/04/26

with an affidavit. All the sections levelled against the petitioner are bailable in nature except 353 of IPC which appears to be ornamental in nature and is punishable for less than seven years. Earlier the other co-accused persons have been granted anticipatory bail by this court vide A.B.P. No. 117/2025, 125/2025 on dated 15.04.2025 and 28.05.2025 respectively and also A.B.P. No. 172/25 has been allowed by the court of Additional Session's Judge-1st, and the case of the petitioner also stand on similar footing.

Thus, considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner **Sushil Kumar@Sujit Kumar Gupta** to anticipatory bail. It is therefore ordered that in the event of arrest or surrender before the trial court within four weeks from the date of receipt of this order the accused/petitioner **Sushil Kumar@Sujit Kumar Gupta** is directed to be released on bail after furnishing bail bond of Rs. 10,000 (Ten Thousands) with two sureties of like amount each to the satisfaction of the Court concerned, subject to the further condition that

- (i) one of the bailor shall be either father, mother, brother, sister or any close relative.
- (ii) The petitioner shall co-operate during investigation and trial.
- (iii) Bailors shall furnish separate declaration/undertaking as per section 441(A) of CrPC/486 of BNSS.
- (iv) The petitioner will comply the conditions as mentioned under section 482(2) of B.N.S.S/438 of CrPC.

Dictated

S/d

(Sunil Dutt)

District & Additional Sessions Judge-III,
Sheohar.

Dated-23.04.2026