

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE, IV,
DISTRICT – SHEOHAR**

Present – Aditya Pandey, District & Additional Sessions Judge

Anticipatory Bail Petition (A.B.P.) No. 214 / 2026

(Arising out of Shyampur Bhataha P.S. Case No. 77/2026

U/s. 126(2), 115(2), 117(2), 303(2), 74, 76, 351(2), 3(5) of B.N.S.)

1. Ram Niranjana Rai, aged about 76 yrs
2. Rajeshwar Rai @ Rajeshwar Kumar, aged about 26 yrs
3. Akshay Kumar, aged about 18 yrs

.....Petitioners

Versus

State of Bihar.....Opposite Party

Appearance -

For the Petitioners : Sri Prabhat Kumar, Advocate.

For the State : Sri Arshad Siddiqui, Addl. Public Prosecutor, Sheohar.

ORDER

10.06.2026 The learned advocate for the petitioners and the learned Additional Public Prosecutor have been heard at length. Perused the case diary.

 This petition for grant of anticipatory bail was filed on 07.05.2026 on behalf of Ram Niranjana Rai, Rajeshwar Rai @ Rajeshwar Kumar and Akshay Kumar who apprehend arrest in connection with Shyampur Bhataha P.S. Case No. 77/2026 registered on 22.03.2026 U/s. 126(2), 115(2), 117(2), 303(2), 74, 76, 351(2), 3(5) B.N.S.

 The prosecution's case in brief is that at about 05:30 P.M. on 20.03.2026, the informant was sitting at her door then the accused persons Ram Niranjana Rai, Ful Kumari Devi, Rajeshwar Rai, Nirbhay Kumar, Randheer Kumar, Banarsi Devi together came there along with iron rod, blackjack and sticks, and started abusing. Rajeshwar Rai attacked on her head

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10.06.2026 with iron rod due to which the informant's hand broke and Abhay Kumar snatched informant's locket of Lord Hanuman worth Rs. 20,000/- from his neck. When Jagat Rai went to save wife of Subodh Kumar and informant's mother, all the accused persons attacked on him. Ram Niranjana Rai broke hand of Subodh's mother and Randheer Kumar outraged the modesty of Nitu Kumari, wife of informant and injured her and snatched mangalsutra of gold worth Rs. 30,000/- from her. After commotion, villagers came and saw the incident and the informant went to Sheohar Sadar Hospital for his treatment.

It has been averred at the outset in para 2 of the petition that the petitioners have not moved any bail petition before this Court or Hon'ble High Court, Patna and in para 3 that the petitioners have no criminal antecedent. The learned advocate for the petitioners has argued and submitted that the petitioners are innocent and falsely implicated in this case on account of village politics. It has been pointed out that all the offences except under Section 74, 76 and 303(2) of B.N.S., are bailable and the non-bailable offences are not specifically attracted against the petitioners. It is therefore prayed that the petitioners may be granted anticipatory bail.

The learned APP has opposed the prayer mainly on the ground that there was credible evidence against the petitioners suggesting their involvement in commission of serious and non-bailable offences punishable with imprisonment for a term which may extend to seven years.

Now, it transpires from perusal of record that the petitioners are named as accused in this case and the allegations are supported by the informant and three other witnesses in their statements recorded during the investigation. As

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10.06.2026 recorded in para 19 of the case diary informant Subodh Rai and his wife Shanti Devi have suffered grievous injuries viz. fracture in right hand, and left forearm above wrist and left wrist respectively, all caused by hard and blunt substance. The injuries are on non-vital organs. At the same time no recovery and seizure of any articles from the possession of the petitioners has been recorded in the case diary. Moreover, it appears that despite the offences being punishable with imprisonment for a term extending upto seven years, no notice under section 35 of B.N.S.S. has been issued to the petitioners which is violative of the guidelines issued by the Supreme Court of India in Arnesha Kumar vs. State of Bihar (2014) 8 SCC 273.

In view of the above facts and circumstances, the petition for grant of anticipatory bail is hereby allowed. The petitioners are ordered to be enlarged on bail in the event of arrest/surrender within **two weeks** of receipt of this order upon furnishing bail bonds of **Rs.10,000** with **two sureties of like amount each** to the satisfaction of the learned trial Court, subject to **filing of undertaking in terms of section 482 (2) B.N.S.S.**

Let a copy of this order be sent to the learned trial Court for information and needful.

(Dictated & Corrected)

Sd/-

Addl. Sessions Judge, IV
Sheohar