

In the Court of Sri Deepak Kumar, Principal Sessions Judge, Sheohar

A.B.P No.: 276/2026

(Tariyani Chapra P.S. Case No.: 04/2026)

(Under Sections: 308(2), 308(1), 126

(2),115(2),351(2), 3(5) of the B.N.S.)

CNR NO. BRSO01-001444-2026

Amit Kumar & Ors. Vs. State of Bihar.

1. Amit Kumar, S/o Shyambabu Singh,
2. Vinod Singh, S/o Late Mundrika Singh,
3. Brajesh Kumar Singh, S/o Late Tejnarayan Singh,
All residents of Village-Tariyani Chapra, Police Station- Tariyani Chapra,
District Sheohar. -----Petitioners

Versus

The State of Bihar -----Opposite Party

Learned Counsel for the Petitioners: Shri Amlesh Kumar,
Shri Dharmendra Kumar Singh

Learned Counsel for the State : Shri Suresh Roy

Date:- 10.06.2026

Heard both sides

Learned counsel for the Petitioners submitted that they have falsely been implicated in this case due to dirty village politics. After finding the allegations as leveled by the informant in the FIR not to be true against the petitioners and co-accused, the I.O. submitted final form against them. However, cognizance of the offence has been taken by the Court and direction for issuing summons against the petitioners has been passed. During the course of investigation, the I.O., on the basis of CDR found that the petitioners were not present on the alleged spot. He further submitted that the real fact is that there is land dispute between the parties and only to pressurize the petitioners and co-accused this false case has been filed. On 25.06.2024 petitioner No.

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2 Vinod Singh had sold certain piece of land to the father of Petitioner No. 1 Amit Kumar and to Petitioner No. 3. Brajesh Kumar Singh. Subsequently on 02.08.2024 the same land was knowingly and with ulterior intention sold by Devshish Kirti, who is nephew of Petitioner no.2 Vinod Kumar Singh, to Munni Devi, who is wife of informant Pankaj Kumar Singh. Learned Counsel further submitted that Aparna Singh, who is wife of Co-accused Nitish Singh had contested panchyat election on the Post of Mukhya in the year 2021 against the informant and had won the election. The panchyat election is again due this year and thus to pressurize politically also this false case has been lodged. Petitioner No. 1, is brother-in-law (Devar) of Aparna Singh and is a handicap person. Learned counsel further submitted that it is alleged in the FIR that the petitioners and co-accused Nitish Kumar used to demand extortion amount of Rs. 50 lac from the informant and he used to give some amount time to time to them and due to their fear he never lodged a written complaint. However, prior to 31.01.2026 no specific date is mentioned/alleged in the FIR as to when the petitioners demanded money from him and when he gave the ransom amount to them. Both the parties are co-villager and the police station is situated in the same village. The alleged incident is said to be of 31.01.2026, however the FIR has been registered on 02.02.2026. It is purely a politically motivated case. He further submitted that the informant is in habit of lodging false case of demanding ransom against

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co-villagers. Earlier he had also registered a case of demand of ransom against co-villager Akhilesh Singh.

Learned counsel for the State opposed the prayer for grant of anticipatory bail and submitted that the petitioners are named in the FIR and the allegations are serious in nature. Two of the petitioners have criminal antecedent.

The prosecution story in short is that the informant Pankaj Kumar Singh is owner of Indane Gramin Gas Godown in his village Tariyani. On 02.08.2024 he purchased land in the name of his wife Munni Devi. His co-villagers Nitish Kumar Singh @ Maharaj, Amit Kumar Singh, Vinod Kumar Singh, Brajesh Kumar Singh, who are criminal minded persons, demand Rs. 50 lac from him and also told him to sell the purchased land and on his refusal they threatened him to kill. Due to their fear he did not file any complain and time to time gave money to them. On 31.01.2026, around 06 o'clock evening, while he was discussing with his persons to construct house on his purchased land, all of a sudden Nitish Kumar Singh along with above mentioned persons and 7 to 8 unknown persons came there and Nitish Kumar Singh told to kill him as he had not given Rs. 50 lacs extortion amount and is also not writing the land in his name. On this everyone surrounded him and started beating. Nitish Kumar Singh pointed gun on his chest and threatened to kill his entire family and thereafter went away. They run Azad Hind Fauj.

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At para-2 of the anticipatory bail petition the Petitioners have stated that earlier they had filed ABP No. 77/2026 which was withdrawn on 16.03.2026. The I.O had filed final form against them finding the allegations not to be true, However cognizance has been taken thereafter, as such this anticipatory bail petition has been filed. Petitioners have not file any anticipatory bail petition before Hon'ble High Court.

From perusal of the FIR it is evident that there is land dispute between the parties and allegations against the petitioners are general and omnibus in nature. There is no mentioning in the FIR as to since when the petitioners were demanding money/ ransom from the informant and how much amount he had paid to them before lodging FIR.

It is alleged in the FIR that the petitioners were present of the spot, however from perusal of the case diary it is evident that they were present somewhere else. At para-38, 39 of the case diary is the CDR location of the petitioner Vinod Kumar Singh and Brajesh Kumar Singh. At the relevent time on 31.01.2026 they were in Muzaffarpur. At para-40 it is stated that from perusal of the CDR location of the petitioner Amit Kumar Singh of 31.01.2026 it is apprent that between 16.49 o'clock and 21.33 o'clock he was in village Tariyani Chapra. However, it is not clear from it that he was present on the spot, as alleged.

From perusal of the FIR it is further apparent that the main allegation is against co-accused Nitish Kumar Singh. However, from pe-

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rusal of the case diary it is evident that he was himself not present on the alleged spot. At para-37 of the case diary it is stated that from perusal of mobile tower location (CDR) of co-accused Nitish Kumar Singh it is evident that on 31.01.2026, at 14.53 o'clock he was at Muzaffarpur and thereafter at Patna. At para-45,46,47,48 of the case diary the witnesses have stated that on 31.01.2026, around 6 o'clock he was attending the Sraddh function of the mother of one Vikash Kumar Singh at village Karnauti, P.S Bakhtiyarpur, District-Patna and returned at night.

At para-56 of the case diary the witness have stated that this case has been filed by the informant for taking political revenge. His house (house of the witness) is situated near the place where it is alleged that ransom was demanded and fighting took place. No such incident had occurred. The informant had earlier lodged case of demanding ransom against Akhilesh Singh also. The same fact has been stated by the witnesses at para-57 and 58 of the case diary. At para-67 is the details of toll payment through UPI at toll plaza NH-30, Didarganj, Patna on 31.01.2026 at 05.21 PM.

At para-32 of the case diary it is stated that the petitioner Amit Kumar Singh has criminal antecedent vide Tariyani Chapra P.S case no. 13/2021, dated 27.01.2021, U/s. 353, 216, 186, 504/34 of I.P.C, At para-33 of the case diary it is stated that the Petitioner Brajesh Kumar Singh has criminal antecedent vide Tariyani Chapra P.S. Case No. 102/2021, dt. 23.11.2021, U/s 341, 323, 448,504/34 of I.P.C. and at

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para-34 it is stated that petitioner Vinod Kumar has no criminal antecedent.

After finding the allegations not to be true against the petitioners, police report/final report bearing no. 5801034260004/FR/001, dated 14/4/2026 was submitted by the I.O., however, cognizance of offence under section 115(2), 126(2), 308(2), 351(2), 3(5) of BNS was taken by learned ACJM I, Sheohar, on 16/4/2026 and office has been directed to issue summons against the petitioners.

From the above discussed facts, it thus appears that there is land dispute between the parties, allegations against the petitioners are general and omnibus in nature. Considering the nature of the dispute and the general allegation against the petitioners, the prayer for grant of anticipatory bail by the petitioners is hereby **allowed**. In the event of surrender or arrest within fifteen days from the date of this order, the petitioners **1. Amit Kumar, 2. Vinod Singh and 3. Brajesh Kumar Singh**, are directed to be, released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court, subject to the conditions laid down under Section 482(2) of the B.N.S.S.

Dictated and corrected.

Sd/-

(Deepak Kumar)

Principal Sessions Judge,

Sheohar,

10.06.2026