

In the Court of Sri Santosh Kumar Tiwary
Principal District & Sessions Judge, Sheikhpura.
A.B.P. No:- 105/2026
State of Bihar vs Mohan Bind @ Vishal Kumar.

Mohan Bind @ Vishal Kumar, S/o Rajo Bind
R/o Village – Tola Beldariya, P.S. – Kusumbha
District – Sheikhpura.....Petitioner.

Vs.

The State of BiharOpposite Party.

For the Petitioner :- Sri Avinash Kumar Sharma, Ld. Advocate.

For the O. P. (State) :- Sri Uday Narayan Sinha, Ld. P. P.

ORDER.

18.03.2026 Anticipatory bail petition has been filed on behalf of accused petitioner Mohan Bind @ Vishal Kumar apprehending arrest in connection with Kusumbha P.S. Case No. 12/2026. The present case has been registered against the accused petitioner and others for committing the offence U/s. 191(2), 190, 126(2), 115(2), 109, 118(2), 117(2), 303(2), 352 of B.N.S. The present petitioner is also named in the FIR with the allegation that he along with other co-accused has committed the alleged offence. Hence, he has moved this anticipatory bail petition U/s. 482 of B.N.S.S.-2023. Ld. P.P. submitted case diary.

As per written report of informant Shukar Bind, prosecution story in brief is that on 25.01.2026, at about 02:00 P.M., when he went to his farm, he saw that Mohan Bind and Sagar Bind were selling liquor on his farm. When he objected to the sale of liquor on his farm, Mohan Bind started abusing him and hit him on the head with a bicycle chain with the intention of killing him, due to which his head got fractured. Then his brother Tukeswar Bind, and Ranjan Bind, Jito Bind came to save him. Then Mohan Bind made a phone call, and Manish Bind, Satish Bind, Sandeep Bind, Vajo Kumar, Gaurav Bind, and Chhotu Kumar, all armed with weapons, came, and Sagar Bind hit Tukeswar Bind on the head with iron rod, due to which his head got fractured and his hand got broken. During the fight, Manish Bind snatched the gold chain from the neck of his brother Jitu Bind, and all the accused together assaulted Ranjan Bind badly and injured him. Hearing the commotion, more people came, and all the accused ran away towards their house. Pawan Bind also has a hand in committing this crime. Then the police came and took them to Sadar Hospital Sheikhpura for treatment.

Learned Advocate for the petitioner has submitted that petitioner is innocent and has not committed any offence, rather he has been falsely implicated in this case. Earlier, accused petitioner has not filed any bail petition before this Court or before Hon'ble High Court, Patna. The accused petitioner has three criminal antecedents vide Sheikhpura P.S. Case No. 900/2023,

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18.03.2026 Sheikhpura P.S. Case No. 01/2024 and Kusumbha P.S. Case No. 01/2024. The accused petitioner has no involvement in the alleged incident. The reality is that the informant of this case and his family, with the intention of killing the petitioner, struck him on the head with iron rod, causing him to fall unconscious. The petitioner's other companion, Gautam Kumar, also suffered a head injury, a broken arm, and other serious criminal acts. Therefore, based on the petitioner's written application, Kusumba P.S. Case No. 13/2026 was registered against the informant of this case and others. Therefore, to save his neck from the Kusumba P.S. Case No. 13/2026 filed by the petitioner, the informant of this case has filed a false case against him. In the FIR, the local police, acting in collusion with the informant, have invoked non-bailable sections 118(2), 109(1) and 302 of B.N.S. From perusal of both FIRs clearly demonstrates that the petitioner's involvement in this case is questionable and suspicious when the petitioner himself sustained serious injuries. None of the alleged sections apply against the petitioner. The petitioner is a law-abiding person and he is ready to obey every direction of the Court.

Ld. P.P. opposed the prayer for bail petition of accused petitioner and has submitted that accused petitioner is involved in this offence.

Heard Ld. Advocate for the accused petitioner as well as Ld. Public Prosecutor and perused the record. From perusal of case record, it transpires that the accused petitioner is fully involved in the alleged offence and witnesses of the case diary have also supported the involvement of accused petitioner in the alleged offence. There is specific allegation against the accused petitioner that he struck the informant on the head with a bicycle chain, resulting in a fracture to his skull. From perusal of the injury report, it appears that four persons are injured in this case, namely Sukar Bind (informant), Tokeshwar Bind, Jito Bind and Ranjan Bind. The doctor has found four injuries on the person of injured informant Sukar Bind i.e. (i). CLW at left parieto occipital region L-2" B 1/2" bleeding, stitch (4) in number. CT scan shows no intracranial pathology. (ii). CLW at frontal side of head, L- 5/2" B- 1/2 cm bleeding, stitch (5) in number. CT scan shows no intracranial pathology. (iii). Tenderness over right hand, x-ray shows fracture of 3rd proximal phalanx of right hand. Caused by- Hard and blunt object. Nature of injury – Injury No. 1 & 2 are simple and Injury No. 3 is grievous in nature. The doctor has found two injuries on the person of injured Tokeshwar Bind i.e. (i). CLW at right parietal region. L-1" B- 1/2", bleeding. CT scan shows no acute intracranial hemorrhage or fracture. (ii). Tenderness and swelling over left elbow size 3" rounded. Normal colour. X-ray shows fracture proximal part of ulna. Caused by- Hard and blunt

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18.03.2026 object. Nature of injury – Injury No. 1 is simple and Injury No. 2 is grievous in nature. The doctor has found one injury on the person of injured Jito Bind i.e. (i). Scratch on right shoulder L- 2 cm, Tenderness. X-ray shows no bony lesion. Caused by – Hard with pointed object. Nature of injury – Simple. The doctor has found following on the person of injured Ranjan Bind - no external injury found, tenderness over back. Caused by – Hard and blunt object. Nature of injury – Simple. From perusal of injury reports of injured, it appears that injuries of all the injured are supported with the written report of informant, furthermore, Injury No. 1 & 2 of injured informant and Injury No. 1 of injured Tokeshwar Bind are on the vital part of their bodies. Injury No. 3 of injured informant and Injury No. 2 of injured Tokeshwar Bind are grivious in nature. From perusal of the injury report of counter case Kusumbha P.S. Case No. 12/2026, it appears that the doctor has found three persons injured in this case, namely Mohan Bind (accused petitioner), Gautam Kumar and Manish Kumar, in which Injury No. 1 of injured Mohan Bind and Injury No. 1 of injured Gautam Kumar are on vital parts of their bodies, furthermore, Injury No. 1 of injured Mohan Bind and Injury No. 2 of injured Gautam Kumar are grievous in nature. From above discussion, it appears that a free fighting took place between both the parties, resulting in injuries to individuals on both sides, consequently, case and counter case have been registered by each party against the other. It is evident that there is a direct allegation against the accused petitioner that he brutally attacked the injured informant with a bicycle chain, resulting in a fracture to the injured informant's skull. From above discussion, it is clear that the allegation against the accused petitioner is serious and there is sufficient materials against the accused petitioner showing his complicity in the alleged crime. Investigation is still pending. Considering the above facts and circumstances, allegation is serious in nature, gravity of the offence, investigation is still pending, hence at this stage, I am not inclined to enlarge the accused petitioner Mohan Bind @ Vishal Kumar on anticipatory bail. Consequently, the prayer for anticipatory bail of accused petitioner Mohan Bind @ Vishal Kumar stands rejected.

Dictated

Principal District & Sessions Judge
 Sheikhpura.
 18.03.2026

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