

In the court of Ist Addl. Sessions Judge, Sheikhpura.
Presiding Officer: Sri Neeraj Kishore
Anticipatory Bail Petition No. 227/2026
Bilash Sharma and others Vs. State of Bihar

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Arising out of Jairampur P.S Case No. 79/2025
U/s – 191(2), 191(3), 190, 262, 115(2), 109, 126(2), 132, 324(4), 352, 351(2), 3(5)
of BNS.

1. **Bilash Sharma, aged about 56 years**
S/o Late Kali Sharma @ Late Kale Sharma
2. **Shyamliya Yadav @ Shyamal Yadav, aged about 42 years**
S/o Kailu Yadav @ Kaila Yadav
3. **Teji Paswan @ Purushottam Kumar, aged about 26 years**
S/o Bhim Paswan
4. **Mone Kumar @ Mona Kumar, aged about 24 years**
S/o Mauli Paswan @ Chandramauli Paswan
All R/o Vill. – Kanhauli
P.S – Jairampur
Dist.- Sheikhpura

..... **Petitioners**

Vs.

State of Bihar

..... **O.P**

Counsel for the petitioners ----- Sri Himanshu Shekhar, Ld. Advocate
Counsel for the State ----- Sri. Shambhu Sharan Singh, Ld. Addl. P.P

ORDER

27.04.2026 Anticipatory Bail petition dated 18.04.2026, filed on behalf of the accused/ petitioners 1. Bilash Sharma, 2. Shyamliya Yadav @ Shyamal Yadav, 3. Teji Paswan @ Purushottam Kumar and 4. Mone Kumar @ Mona Kumar who apprehend their arrest in connection with Jairampur P.S Case No. 79/2025, under Sections – 191(2), 191(3), 190, 262, 115(2), 109, 126(2), 132, 324(4), 352, 351(2), 3(5) of BNS pressed today.

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Pressing the bail petition, learned counsel for the petitioners has submitted that the petitioners are quite innocent and have committed no offence and have been falsely implicated in this case due to village politics. It has been further submitted that no bail petition either regular or anticipatory has been filed on behalf of the petitioners either before the Sessions Division or before the Hon'ble High Court and the petitioners have no criminal antecedent. It has been further submitted that the allegation leveled against the petitioners are false and fabricated. It has been submitted that the co-accused Anant Kumar has been enlarged on the privilege of bail by the Hon'ble High Court vide Cri. Misc. No. 88895 of 2025 and co-accused Bheem Paswan has been enlarged on bail by this Court and the case of the petitioners stand of similar footing as that of co-accused. Learned counsel has sought to enlarge the petitioners on the privilege of anticipatory bail.

On the other hand, learned Addl. P.P. has opposed the petition for bail.

L.C.R. has been received, which also contains the case diary.

I have heard the submissions and gone through the materials available on the record, it transpires that no other bail petition of any nature is pending on behalf of the petitioners, either before this Sessions Division or before the Hon'ble High Court and nothing has been mentioned in the case diary with regard to the criminal antecedent of the petitioners. It transpires that the instant FIR has been instituted at the instance of informant P.S.I. Piyush Kumar alleging therein that he is posted as S.H.O. P.S. Jairampur and on 14.10.2025 at about 10:30 P.M. he along with police team left the P.S. for night patrol and raid and at about 12:40 AM reached village Kanhauli to arrest the accused Arvind Yadav of Jairampur P.S. Case No. 63/2025 who was present at the house and was also arrested, however, as soon as the informant along with arrested accused Arvind Kumar left the house accused Gadho Yadav, Bheem Paswan, Bilas Sharma, Jwali Tanti, Shambhu Tanti, Shyamliya Yadav, Rajeev Kumar, Anant Kumar, Rohit Kumar, Teju Paswan, Mone Paswan, Chhotelal Ram, Dhanpati Devi, Deepak Kumar, Bipin Kumar, Saurav Kumar, Gaurav Kumar, Anuj Kumar, Hisabi Chaudhary Raju Chaudhary along with 10-15 unknown assailants armed with lathi danda, bricks and stones came and not only abused the informant and the police team but also assaulted the police team and damaged the police vehicle. It is alleged that due to assault home guard Sipahi Umesh Kumar and Ashok Kumar sustained injuries and accused

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managed to get the arrested accused Arvind Kumar freed from police custody and fled. The informant and the police team came to Referral Hospital Barbigaha for their treatment.

Perusal of the case diary shows that the informant has supported its case in his restatement at Para 2 and the witnesses at Para 3, 4, 5 and 6 have also supported the prosecution case. The injury report of injured Ashok Kumar at Para 80 shows multiple swelling of scalp and bodyache and the injury report of injured Umesh Kumar shows two swelling point on scalp and bodyache. The allegation against the petitioner is to have got the accused Arvind Kumar freed from police custody by using lathi danda, bricks and stones against the police in company of co-accused. It appears that there is general, omnibus and composite allegation against the petitioner. It appears that similarly placed co-accused Anant Kumar has been enlarged on privilege of bail by the Hon'ble High Court vide its order dated 22.01.2026 passed in Cri. Misc. No. 88895 of 2025 and co-accused Bhim Paswan has also been enlarged on bail by my Ld. Predecessor. From the injury report on record prima facie no case u/s 109 BNS is made out against the petitioners and maximum punishment prescribed for commission of alleged offences are less than seven years. The case at hand is fully covered by the judgment passed by the Hon'ble Supreme Court in Ar-nesh Kumar Vs State of Bihar, (2022)10SCC51 titled as Satyendra Kumar Antil Vs CBI and (2023) live law(SC)583 titled as Asfak Alam Vs State of Jharkhand.

Considering the nature of offence and its gravity as also the fact that prima facie no case u/s 109 BNS and other alleged offences are punishable with less than seven years, I am inclined to enlarge the petitioners 1. Bilash Sharma, 2. Shyamliya Yadav @ Shyamal Yadav, 3. Teji Paswan @ Purushottam Kumar and 4. Mone Kumar @ Mona Kumar on the privilege of anticipatory bail in the event of their arrest or surrender before the Ld. Trial Court within four weeks from the date of passing of this order on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount subject to the satisfaction of the Ld. Trial Court.

Instant anticipatory bail petition dated 18.04.2026 stands **allowed**.

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Let a copy of the order be transmitted to the Id. Trial Court forthwith.

Dictated

(Neeraj Kishore)
Addl. Sessions Judge- 1st
Sheikhpura

Date of Judgment /Order	27.04.2026
Date of Reserving Judgment/Order	27.04.2026
Uploading date	28.04.2026
Uploaded by	Md. Reyazul Haque