

In the Court of Sri Santosh Kumar Tiwary
Principal District & Sessions Judge, Sheikhpura.

A.B.P. No:- 271/2026

State of Bihar vs. Aajad Kumar.

Aajad Kumar, Aged 20 years,
 S/o Dharamvir Chaudhary
 R/o Village – Narayanpur, P.S. - Barbiga
 District – Sheikhpura.....Petitioner.

Vs.

The State of BiharOpposite Party.

For the Petitioner :- Sri Kumar Amrendra Jha, Ld. Advocate.

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

ORDER.

21.05.2026 Anticipatory bail petition has been filed on behalf of accused petitioner Aajad Kumar apprehending arrest in connection with Barbiga P.S. Case No. 65/2026. The present case has been registered against the 23 named persons and 30-40 unknown for committing the offence U/s. 190, 191(2), 115(2), 117(2), 109(1), 132, 324(5), 352, 351(2) of B.N.S. The present petitioner is also named in the FIR with the allegation that he has committed the alleged offence. Hence, he has moved this anticipatory bail petition U/s. 482 of B.N.S.S-2023. Trial Court record has been received. Ld. P.P. submitted case diary.

As per self-statement of Ajay Kumar is currently posted as a sub-inspector at the Excise Police Station, Sheikhpura. On 03.04.2026, at about 17:00 hours, confidential information was received stating that Munchun Singh was storing and selling foreign liquor from his residence in the village of Samas, under the jurisdiction of the Barbiga Police Station. After apprising senior police officials of this intelligence, and in order to verify the information and initiate necessary action, a team—comprising Assistant Sub-Inspectors (A.S.I.) Amarjeet Kumar, Dhananjay Kumar, Smriti Kumari, and Dinesh Kumar, along with Constable Ankit Kumar, Home Guards Babita Kumari, Anshu Kumari, and Vandana Kumari, as well as other personnel—arrived at Samas village at approximately 18:30 hours. Upon reaching the residence of the aforementioned individual, the premises were cordoned off, and a search of the house and its immediate surroundings was conducted; however, no incriminating evidence or contraband was recovered. Subsequently, further confidential information was received indicating that certain individuals in the village of Narayanpur were engaged in the illegal sale and consumption of liquor. After informing senior officials of this new intelligence, the team proceeded to the specified location, arriving at approximately 19:30 hours. Upon arrival, several individuals were observed to be in a state

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21.05.2026 of intoxication. With the assistance of the raiding party, four such individuals were apprehended while under the influence of alcohol. Following these arrests, a group of local residents began to offer resistance. They verbally abused the raiding party, threatened to kill them should they ever return for another raid, engaged in a physical scuffle with the officers, and ultimately launched a potentially lethal assault using bricks and stones with the intent to cause death. As a result of the incident, Assistant Sub-Inspector Smriti Kumari—a member of the raiding team—sustained injuries to her back and waist; Home Guard Babita Kumari suffered fractures to her head and the thumb of her left hand; and Home Guard Anshu Kumari sustained fractures to the left side of her head and the thumb of her left hand. Furthermore, informant was critically injured after being struck in the ear with a brick, and four government vehicles were damaged by bricks and stones. Upon identifying the individuals responsible for this life-threatening assault on the raiding team—with the assistance of the local *Mahal Chowkidar* (village watchman)—it was revealed that the attack was carried out by Janjir Chaudhary, Kailash Chaudhary @ Kaila Chaudhary, Rohit Chaudhary, Munni Devi, Sangita Kumari, Nandi Kumari, Pintu Chaudhary, Sohiti Kumar, Urmila Devi, Sunny Kumar, Sandeep Kumar, Golu Chaudhary, Azad Kumar, Ankit Kumar, Guddu Chaudhary, Dolly Chaudhary, Shivam Kumar, Vinay Chaudhary, Mrityunjay Kumar, Shivdani Kumar, Aarti Kumari, Mithlesh Chaudhary, Bhagirath Paswan, and 30–40 other unidentified persons. Of the four individuals initially apprehended, two were forcibly freed from the custody of the raiding team, while the remaining two—Mithlesh Chaudhary and Bhagirath Paswan—were brought to the Excise Police Station in Sheikhpura in an intoxicated state.

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, the accused petitioner has not filed any bail petition before this Court or before Hon'ble High Court, Patna. The accused petitioner has one criminal antecedent vide Barbiga P.S. Case No. 200/2025 U/s. U/s. 191(2), 191(3), 190, 308(2), 115(2), 118(1), 109(1), 303(2), 352, 351(2) of B.N.S., in which he is on bail. The allegation levelled against the petitioner are absolutely false and baseless, as the petitioner has not committed any such incident as has been alleged against him. The petitioner has been falsely implicated by the police. The

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21.05.2026 petitioner is a poor person who earns his living and supports his family by hard labour. Co-accused has been granted anticipatory bail by this Court vide A.B.P. Nos. 210/2026 & 255/2026 dated 06.05.2026.

Ld. P.P. opposed the prayer for bail of accused petitioner and has submitted that accused petitioner is involved in the alleged crime.

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 incident has been committed by a mob and there is no specific allegation of commission of offence against the accused petitioner, rather allegation is general and omnibus. According to written report of informant, the *Mahal Chaukidar* had disclosed the names of the accused petitioner and others involved in the alleged incident, however, there is no mention of that *Mahal Chaukidar* name in the written report itself. Furthermore, even after approximately one month of investigation, the statement of any local *Chaukidar* has not been recorded in the case diary, in fact, the statement of said *Mahal Chaukidar* on the basis of whose statement the FIR was registered, has also not been recorded till date. From perusal of the case diary, it also appears that there is no independent witness of the alleged incident, rather all the witnesses in the case diary are policemen. As per the written report of the informant, the accused persons attacked the police party with bricks and stones, but no injury report of the informant or any other police officer is attached or mentioned in the case diary. From perusal of case record, it appears that despite having been granted sufficient opportunities, the prosecution has failed to produce the injury report; which appears to indicate that the prosecution is behaving irresponsibly and is not diligent in producing injury report. Further no any incriminating articles were recovered from the possession of the accused petitioner. It is pertinent to mention here that regular bail of co-accused Kailash Chaudhary @ Kaila Chaudhary has been rejected by this Court vide B.P. No. 395/2026, as he is the mastermind behind the alleged incident and was the one who instigated others to commit the crime, furthermore he has more than six criminal antecedents and has concealed this fact from the Court, however, other co-accused have been granted regular bail by this Court vide B.P. No. 393/2026, 427/2026 & 511/2026 as well as anticipatory bail vide A.B.P. No. 210/2026 & 255/2026 by this Court, as the allegations leveled against them are of general and omnibus nature. The case of the present petitioner stands on similar footing to that of the co-accused who have

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21.05.2026 been granted anticipatory bail and regular bail, as the allegation against him is also general and omnibus in nature and no specific overt act has been attributed to him. Considering the above facts and circumstances, the present anticipatory bail petition of accused petitioner Aajad Kumar is hereby allowed and in the event of arrest or surrender within 15 days from today, accused petitioner Aajad Kumar be enlarged on bail under Section 482(2) B.N.S.S on furnishing bail bond of Rs. 10,000/- with two sureties of like amount each to the satisfaction of Ld. Trial Court, subject to the condition that –

- 1. One of the sureties shall be close relative of accused petitioner.**
- 2. Accused petitioner shall appear before the Ld. Trial Court on all dates till framing of the charge.**
- 3. Accused petitioner shall fully cooperate in the investigation and shall appear before the I.O. as and when required.**
- 4. Accused petitioner shall provide his mobile number and Whats App number in writing to the trial court at the time of furnishing bail bond, and shall also undertake not to change his mobile number until the trial is concluded without the permission of the trial court.**

Dictated.

Principal District & Sessions Judge
 Sheikhpura.
 21.05.2026

Date of Judgment / order	21.05.2026
Date of Reserving Judgment / order	N/A
Uploading Date	22.05.2026
Uploaded by	Md. Fazal Ahmed (Stenographer)