

IN THE COURT OF ADDITIONAL SESSIONS JUDGE-IV, SARAN (CHAPRA)
Anticipatory Bail Petition No.- 236/2026
(Arising out of Ekma Case No.- 410 of 2024)

Tarkeshwar Prasad and others.....Petitioner/s
 Versus
 The State of BiharProsecution

| Order | |
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| 10.03.2026 | <p>1. This anticipatory bail petition filed on behalf on the accused petitioners namely 1. Tarkeshwar Prasad, 2. Shailendra Kumar Prasad @ Shailendra Kumar, both S/o Sudish Prasad, 3. Ravindra Prasad @Pappu Prasad @ Ravindra Kumar, S/o Tarkeshwar Prasad and 4. Radheshyam Prasad, S/o Late Ramlakhan Prasad who apprehending his arrest in connection with Ekma P.S. case No.-410/2024, registered u/s 126(2), 115(2), 118(1), 109, 303(2), 3(5) of B.N.S pending in the court of Sri A.P. Singh Rathore , J.M. 1st Class, Saran. Copy of the petition has been served to the learned P.P..</p> <p>2. The case of the prosecution in nut-shell as per written application of the informant, Shekhar Sinha is that on 06.11.2024 at about 08:00 A.M., the informant received confidential information that some of his pattidars had gone to Ekma Registration office to register the Deed of his land under their possession through an illegal and unlawful means. When his elder brother, Ashwini Sinha, and the informant arrived at the registration office at around 12:30 P.M., they saw, 1. Takeshwar Prasad, 2. Shailendra Kumar Prasad, 3. Ravindra Prasad and 4. Radheshyam Prasad, all of them were present there to register his land. When the informant asked Tarkeshwar Prasad why he was registering his land illegally. Thereafter, all of them became furious and Shailendra Kumar Prasad ordered them to kill and destroy him. Meanwhile Ravindra Prasad and Radheshyam Prasad together threw him down and Ravindra Prasad assaulted the informant with a knife on his head and chest with the intention of killing him, due to which his head and chest got cut and it started bleeding. When his elder brother, Ashwini Sinha, came to rescue him then, Tarkeshwwar Prasad and Shailendra Kumar also assaulted upon him with a knife. It is further alleged that during this, Shailendra Kumar snatched Rs. 20,000/- as a theft from the possession of informant's pocket. The the accused persons threatened not to lodge F.I.R unless he would have to face dire consequence.</p> <p>3. The learned counsel on behalf of the petitioners submitted that earlier no B.P. or A.B.P has ever been filed or moved either in any court of law. It is further submitted that the Petitioners have no criminal antecedent but the accused petitioners No. 1, 2, and 4 have two antecedents in which one case has been compromised and other Complaint Case is pending for final argument. That no such incident has taken place as described by the informant in his ferdbeyan but all the facts are fabricated, imaginary, concocted and false. It is further submitted that it is clear from the application dt. 06.11.2024, that the parties are pattidars and there is a land dispute between the parties. That the said case is counter case of Ekma P.S case No. 409/24 which is lodged under a conspiracy by creating a false and imaginary incident with a intention of harassing and troubling them with the ill motive of creating pressure. That the investigation of the case is not likely to be affected in any</p> |

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| continued 10.03.2026 | <p>way due to the petitioners being granted bail. It is also submitted that petitioners are civilized, respectable, social justice loving persons who have full fail in the court of law. As the accused petitioner have their own movable or immovable property, due to which there is no possibility of the applicant’s absconding. That the accused petitioner is ready to furnish bail bond to the satisfaction of the court. Hence, he prayed to enlarge the petitioners on bail.</p> <p>4. Learned PP opposes the bail petition vehemently.</p> <p>5. Heard learned counsel on behalf of the accused petitioners and Learned P.P. for the state, perused the record and case diary. On perusal of of the record it transpires that there is a case of counter case. On perusal of F.I.R, it transpires that the present case is related with a land dispute between the parties. On perusal of Case diary Para 18 and 20, the injuries received by Ashwani Sinah and the informant Shekhar Sinha are reported as simple in nature.</p> <p>6. In facts and circumstances deliberated above, learned court below is directed to admit the bail for the petitioners namely Tarkeshwar Prasad, 2. Shailendra Kumar Prasad @ Shailendra Kumar, 3. Ravindra Prasad @ Pappu Prasad @ Ravindra Kumar and 4. Radheshyam Prasad on furnishing bail bond of Rs. 10000/- with two solvent sureties of like amount to the satisfaction of learned court below if they surrender or arrest before it within a period of 30 days from the date of this order subject to the conditions as laid down under section 438(2) of Cr.PC.</p> <p style="text-align: right;">(Dictated and corrected by me) Sd/- Additional Sessions Judge-IV Saran at Chapra 10.03.2026</p> | |
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