

In the Court of S.M.F. Bari, 1st Addl. Sessions Judge, Saran at Chapra.
A.B.P. 1438/2026 (Taraiyan P.S. case no. 113/2026)
Ashok Rai & other versus State of Bihar.
O R D E R

19.6.2026

Heard learned counsel for the petitioners as well as learned Addl. P.P. for the State on anticipatory bail petition of petitioners namely 1. Ashok Rai, 2. Sunil Kumar, 3. Manoj Kumar and 4. Binda Rai who are apprehending their arrest in the above referred case registered u/s 115(2), 126(2), 117(2), 109, 351(2), 352, 3(5) of BNS

FIR of this case has been registered on the basis of fard beyan of informant namely Jaynath Ray that on 13.3.2026 at about 8 O'clock of night, the informant was at his house, in the meantime these accused petitioners and other accused persons of this case having deadly weapons in thier hands came there and started abusing the informant, on objection, accused Sunil Kumar and Rakesh Kumar caught him and ordered other accused persons to kill him, on this accused Ashok Rai, Manoj Rai and Arun Kumar assaulted him with sharp cutting weapon on his head with a view to kill him, due to which he received injury and blood started oozing out and he fell down there. Accused Anil Kumar and Sanjay Kumar assaulted with iron rod on the head of the informant which hit on his hand, they also assaulted with iron rod to the brother of informant due to which his waist bone was broken. When witnesses came for rescue of the injured, they were also assaulted by the accused persons. Accused Ashok Rai, Manoj Rai and Arun Rai took out country made katta from their waist and threatened the informant not to file case. Injured were taken to the hospital for treatment by the witnesses. The reason behind the occurrence is alleged to be previous enmity.

It is submitted on behalf of the petitioners that they are innocent and have not committed any offence and have been falsely implicated in this case due to suspicion, both the parties are pattidars and there is previous enmity between them, there is case and counter case between the parties, no any regular or anticipatory bail petition have been filed by the petitioners in any court of law, petitioners have got clean antecedent, and they are ready to furnish sureties as required by the Court. Therefore, it is prayed that the petitioners may be enlarged on anticipatory bail bail.

The learned Addl. P.P. opposed the prayer for bail.

Perused the record and on perusal of the same, it is found that the petitioners are named in the FIR with an specific and direct allegation that they have caughtg and assaulted with iron rod on the head of the informant with a view to kill him. When brother of informant came for his rescue the accused petitioners and other

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accused persons of this case have also assaulted him with iron rod due to which his waist bone was broken and he became unconscious. Informant in his statement recorded at para no. 4 of the case diary has fully supported the prosecution case. Other witnesses in their statements recorded at para no. 1, 5 and 6 of case diary have also fully supported the prosecution case. At para no. 23 of case diary, there is supervision note of the supervising officer, who found the case true against the accused petitioners. On perusal of injury report, it is noted that three persons have been made injured in this case including the informant. Medical examination report was prescribed by the doctor seeing the gravity of injury.

Considering the above facts and circumstances of the case, gravity of accusation and also for the reasons mentioned above, I am not inclined to enlarge the accused petitioners on anticipatory bail. Hence, prayer for anticipatory bail of the accused petitioners is hereby rejected.

(Dictated)

1st Addl. Sessions Judge, Saran.