

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE,
SITAMARHI.

Dated, Sitamarhi, the 22nd April, 2026.

Present:- Akhilesh Kumar Jha, Principal District & Sessions Judge,
Sitamarhi.

B.P No. 281/26.

In the matter of :-

Abhay Kumar @ Gope Shrivastava, S/O Late Ajay Prasad Gupta , R/O
Jafarpur Ward No. 01, PS- Belsand,
Distt.Sitamarhi.....Petitioner.

V/S

State of Bihar.....Opposite Party.

Appearance:

For the petitioner:- Sri Alok Kumar, Advocate.

For the State:- Sri Prafulla Kumar Jha, I/C P.P.

Date of order or proceeding.	Order with the signature of the court.	Office action taken with date.
22.04.2026.	1. This bail petition has been filed on behalf of the petitioner namely, Abhay Kumar @ Gopi Shrivastava who is in custody since 04.03.2026 in connection with Belsand PS Case No. 59/2026 registered u/s: 126(2), 115(2), 117(2), 109(1), 353(2), 303(2), 3(5) of BNS. 2. Heard the learned counsel for the petitioner and the learned I/C PP for the State and perused the case record. 3. The learned counsel for the petitioner submitted that the petitioner is innocent and has been falsely implicated in the case due to dirty village politics. It is submitted that all the Sections are bailable except 109(1) and 303(2). It is further submitted that informant and accused persons are neighbours and there was dispute between them due to political reason. There is no chance of absconding of the petitioner. The petitioner has no criminal antecedent. On these grounds, the learned counsel prayed for grant of bail to the petitioner. 4. The learned I/C PP opposed the prayer for	

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bail and submitted that FIR was registered u/ss: 126(2), 115(2), 117(2), 109(1), 353(2), 303(2), 3(5) of BNS against petitioner. The petitioner is named in the FIR. However, fairly submitted that there is no any specific allegation against petitioner of assaulting the informant. Injury of injured informant of the case is simple in nature.

5. The prosecution's case in nutshell is that on 02.03.2026 at about 08:30 P.M., when the informant went to Jhanda Chowk for Holika Dahan, Roshan Jha, Anand Kumar Jha, Rajan Jha, Gopi Shrivastava, Raja Kumar and Kailas Sah, five unknown armed with lathi, danda came abused and threatened the informant to kill him. Thereafter, Anand and Roshan caught hold of his collar and injured his eye by iron panja. As a result of which, he suffered injuries below his eye. Thereafter, they tried to break his neck and they snatched golden chain 15 gm. from the informant. All other accused persons assaulted and threatened the informant that if he complained, he would be killed.

6. Perusal of record shows that the petitioner is named in the FIR. However, there is no specific allegation against him. The allegations levelled against him is general and omnibus. As per injury report, injury of injured informant of the case is simple in nature. The petitioner is in custody since 04.03.2026.

7. Considering the aforesaid facts & circumstances of the case, bail of the petitioner is allowed. The petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court where the case

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is presently pending further subject to the
conditions as laid down u/s: 480(3) BNSS.

(Dictated)


Principal Sessions Judge,
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22.04.2026.

Date of Judgment /Order	22.04.2026.
Date of Reserving Judgment/Order	22.04.2026.
Uploading Date	23/04/2026
Uploaded by	Purnimotam Kumar