

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

Dated, Sitamarhi, the 30th April, 2026.

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

A.B.P No. 425/26.

In the matter of :-

**Mahesh Rai @ Mahesh Kumar S/O Late Baijanth Rai, R/O Maheshafarakpur,
PS- Mahindwara, Distt.Sitamarhi.....Petitioner.**

V/S

State of Bihar.....Opposite Party.

Appearance:

For the petitioner:- Sri Vimal Kumar Shukla, 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.
<u>30.04.2026.</u>	This anticipatory bail petition has been filed on behalf of the petitioner namely, Mahesh Rai @ Mahesh Kumar who is apprehending his arrest in connection with Runnisaidpur P.S. Case No. 92/2026 registered u/ss: 115(2), 118, 109, 351(3), 352, 303(2), 3(5) of BNS. 2. Heard the learned counsel for the petitioners and the learned I/C PP for the State. 3. The learned counsel for the petitioner submitted that the petitioner is innocent he has falsely implicated in the case. Further submitted that all the Sections mentioned in the FIR are bailable except Sections, 118, 109, 303(2) of BNS and no case under said sections are made out and same has been incorporated in FIR to make the case serious. Further submitted that petitioner has no criminal antecedent and there is no allegation against him that he assaulted any injured of the case. Both the parties informant and accused have compromised the case and they have filed a compromise petition on record. The alleged incident is of 06.03.2026 and FIR was registered in the case on 08.03.2026 and there is no explanation	

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of delay in registration of FIR. On these grounds, the learned counsel prayed for grant of anticipatory bail to the petitioner.

4. On the other hand, the learned I/C PP opposed prayer for bail and submitted that petitioner ~~has~~ named in the FIR there is allegation against him that he took away Rs. 1,10,000/- from the pocket of the informant.

5. Heard both sides and perused the record.

6. The prosecution's case in nutshell is that on 06.03.2016 at about 02:00 P.M. Informant and his friend Shyam Nath Prasad was going to make payment of Rs. 1,10,000/-¹ Runnisaipur, Near Manaspatti Line Hotel, Mahesh Rai pointed pistol on the chest of Shyam Nath Prasad and other accused persons assaulted them. Satyam Kumar and mahesh Rai and ten unknown person surrounded them, Satyam Kumar Singh hit him with pistol butt on his right eye, and informant fell down. Mahesh Rai also pointed pistol and took out Rs. 1,10,000/- from the pocket of the informant and they ran away from the place of occurrence.

7. Perusal of record shows that allegation against petitioner is that he pointed his pistol on chest of Shyam Nath Prasad and took out Rs. 1,10,000/- from the pocket of the informant. However, during investigation in para 9 and 10 of the case diary- witnesses have not supported the allegation of pointing of pistol by petitioner and taking of Rs. 1,10,000/- by him. Witnesses have only stated that they saw the petitioner and co-accused Shyam Kumar committing Marpit with informant. As per injury report of injured- no

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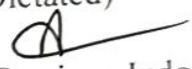
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external injury was seen and NCCT of brain was found normal and final injury report has been submitted by prosecution.

8. Considering the aforesaid facts & circumstances of the case, prayer for anticipatory bail of the petitioner is allowed and in the event of his arrest or surrender within a period of four weeks from today, he shall 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 learned Magistrate where the case is presently pending subject to the conditions as laid down u/s: 482(2) of the BNSS.

(Dictated)


Principal Sessions Judge,
Sitamarhi.
30.04.2026.

Date of Judgment /Order	30.04.2026.
Date of Reserving Judgment/Order	30.04.2026.
Uploading Date	02/5/2026
Uploaded by	Purushottam