

In the Court of Sessions Judge, Supaul

A.B.A.-325/2026

(Arising out of Supaul PS Case No:-290/2020)

<u>06/05/2026</u>	1. Sunni Kumar Singh @ Sunni Kumar, S/o- Gulab Singh; 2. Bobi Kumar Singh @ Babi Kumar, S/o- Gulab Singh; 3. Ashish Kumar Singh @ Ashish Kumar, S/o- Gulab Singh; 4. Pappu Kumar Singh, S/o- Rajendra Singh; All R/o- Dabhari, Ward No.5, PS-Supaul, District- Supaul; Accused/Petitioners Vs. State of Bihar.O.P. Ld. Counsel for petitioners Sri. Sanjay Kumar Singh, Advocate. Ld. APP Sri. Amar Kumar Das, for the State. By this order we are going to dispose off the anticipatory bail application filed on behalf of accused/ petitioners, namely 1. Sunni Kumar Singh @ Sunni Kumar, 2. Bobi Kumar Singh @ Babi Kumar, 3. Ashish Kumar Singh @ Ashish Kumar and 4. Pappu Kumar Singh, who are apprehending their arrest in connection with Supaul PS Case No.:-290/2020, u/s- 144, 149, 447, 341, 323, 448, 307, 337, 506 of IPC. Ld. counsel for the accused/ petitioners argued that accused/ petitioners are quite innocent and have committed no crime and they have falsely been implicated in this case due to dirty village politics and enmity. He further submitted that accused/ petitioner No.2 Bobi Kumar Singh @ Babi Kumar was availing the privilege of Section 41(A) of Cr.P.C during the course of investigation. He also submitted that after completion of investigation, the police has submitted the charge-sheet only against 9 accused persons and not found any evidence against remaining accused persons and they were not sent up for trial. However, the Ld. Lower court has took cognizance against all the accused persons named in FIR vide order dated 12.03.2024. It is also submitted that accused/ petitioners are ready to abide by the provisions of section 482 of B.N.S.S, so they may be admitted to the anticipatory bail. Ld. APP for the State strongly opposed the anticipatory bail application. In brief, the prosecution story is that on the basis of written application of informant, namely Dhaneshwar Singh, an FIR bearing Supaul PS Case No.290/20 was registered against the 12 accused persons including these four accused/ petitioners on 05.05.2020, u/s- 144, 149, 447, 341, 323, 448, 308, 337, 506 of IPC. Argument heard from both sides and perused the lower court record. On	Contd.
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<u>Contd.</u> <u>06/05/2026</u>	perusal of lower court record, it transpires that after completion of investigation, the police has submitted the charge-sheet only against 9 accused persons and not found any evidence against remaining accused/ petitioners and they were not sent up for trial. However, Ld. Magistrate vide order dated 12.03.2024 took cognizance against all the accused persons named in FIR. It is also pertinent to mention here that during the course of investigation the accused/ petitioner No.2 Bobi Kumar Singh @ Babi Kumar is availing the privilege of Section 41(A) of Cr.P.C. Since, during the course of investigation these accused/ petitioners were not required by the police for any custodial interrogation. Hence, after taking cognizance, it is not proper to send the accused/ petitioners behind the bar. Therefore, in the interest of substantial justice, I find that all the accused/ petitioners are entitled to get the benefit of anticipatory bail. Therefore, the prayer for anticipatory bail of all accused/ petitioners stands Allowed and in the event of their arrest or surrender before the court within 15 days from the date of receipt of a copy of this order, petitioners are directed to be released on furnishing bail bonds of Rs.20,000/- each with two sureties of like amount each to the satisfaction of Learned Court below with condition that they shall abide by all the conditions laid down in section 482 of B.N.S.S and one of the bailor must be the family member or close relative. Dictated -Sd- (Anant Singh) Sessions Judge, Supaul	
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