

In the Court of Sessions Judge, Supaul
A.B.A.-480/2026
(Arising out of Pratapganj PS Case No:-255/2025)

<u>21/05/2026</u>	1. Ranjit Sharma, S/o- Lilay Sharma; 2. Tej Narayan Sharma, S/o- Dhodhay Sharma, 3. Gangay Yadav @ Ganga Yadav, S/o- Sitaram Yadav; 4. Hari Narayan Sharma, S/o- Gangay Sharma; 5. Jaiprakash Yadav, S/o- Feku Yadav; all R/o- Bhalukup, PS- Pratapganj, District-Supaul;Accused/Petitioners Vs. State of Bihar.O.P Ld. Counsel for petitioners Sri. Shilbhadra 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. Ranjit Sharma, 2. Tej Narayan Sharma, 3. Gangay Yadav @ Ganga Yadav, 4. Hari Narayan Sharma and 5. Jaiprakash Yadav, who are apprehending their arrest in connection with Pratapganj PS Case No:- 255/2025, u/s- 126(2), 115(2), 118(1), 109, 76, 303(2), 352, 351(2), 351(3), 3(5) of B.N.S. 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 land dispute. He further submitted that accused/ petitioners have not involved in any other case and having the clean antecedent. He further submitted that the offence as alleged in FIR is not applicable against the accused/ petitioners. 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 dated 18.12.2025, 8 accused persons named in FIR including these accused/ petitioners along with 7-8 other unknown accused persons forcibly tried to occupy the agricultural land of the informant. All the accused persons were armed with deadly weapon and when the informant objected then all the accused persons started abusing him. Accused Om Prakash Yadav having the country made pistol threatened the informant and all the accused persons also assaulted him by stick. When the son of the informant namely Suraj Kumar and wife Durga Devi as well as nephew Lalit Kumar came there to save the informant then the accused persons also assaulted them. Accused Gangay Yadav having the <i>Farsa</i> assaulted Suraj Kumar on his head and accused Ranjit Sharma also snatched the silver chain from the wife of the informant	Contd.
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<u>Contd.</u> <u>21/05/2026</u>	namely Durga Devi. Accused Harinarayan Sharma caught hold the hairs of the wife of the informant and put on the ground and torn her clothes. Accused Laltu Yadav having the iron-rod assaulted Durga Devi, thereby she sustained injury on her face. Argument heard from both sides and perused the record as well as case diary. On going through the case diary, it transpires that the police also recorded the statement of the witnesses namely injured Suraj Kumar, Durga Devi, Lalit Kumar and Amarnath Singh and they have duly supported the contention of the informant. Though as per para No.61 of the case diary, the accused/ petitioners have not involved in any other case and having the clean antecedent. As per the injury report of the injured namely Durga Devi, Lalit Singh and Suman Singh, the doctor has opined the nature of injury of all injureds as simple. As per the injury report of injured Suraj Kumar, the doctor has found lacerated wound 1” x 1/4”x skin deep over right frontal region of skull and opined the nature of injury as grievous. On minute scrutiny of the <i>Fardbyan</i> as well as entire case diary, it transpires that there is specific allegation against the accused/ petitioner No.3 Gangay Yadav @ Ganga Yadav for causing injury to the injured Suraj Kumar on his head by <i>farsa</i> and the doctor has also opined the nature of injury as grievous. The allegation against the accused/ petitioner No.3 Gangay Yadav @ Ganga Yadav is very serious. The investigation of this is in primary stage. The custodial interrogation of accused/ petitioner No.3 Gangay Yadav @ Ganga Yadav is also required. The tempering of the prosecution evidence also cannot be ruled out. Hence, I find that accused/ petitioner No.3 Gangay Yadav @ Ganga Yadav is not entitled to get the benefit of anticipatory bail. As such, the prayer of the anticipatory bail, on behalf of accused/ petitioner No.3 Gangay Yadav @ Ganga Yadav is hereby, Rejected and he is directed to surrender before the Learned Lower Court within 15 days from the date of receipt of a copy of this order. So far as, the anticipatory bail prayer of accused/ petitioners No.1, 2, 4 and 5 are concerned, there is only allegation against the accused/ petitioner No.1 Ranjit Sharma for snatching the silver chain from the wife of the informant and there is no any specific allegation against these accused/ petitioners for causing any injury to the injured persons and the doctor has opined the nature of injury of other injureds persons as simple. Hence, keeping in mind the nature of allegation and other surrounding circumstances, I find that accused/ petitioners No. 1, 2, 4 and 5	Contd.
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