

In the Court of Sessions Judge, Supaul
A.B.A.-619/2026 & ABA-698/2026
(Arising out of Pratapganj PS Case No:-12/2026)

<u>14/05/2026</u>	<u>ABA-619/2026</u> 1. Shailendra Sardar, S/o- Binay Sardar @ Bindeshwar Sardar; 2. Pinki Devi, W/o- Shailendra Sardar; Both R/o- Shreepur, Ward No.11, PS- Pratapganj, District- Supaul; Accused/Petitioners Vs. State of Bihar.O.P. <u>ABA-698/2026</u> Badri Sardar, S/o- Kinay Sardar, R/o- Shreepur, Ward No.11, PS- Pratapganj, District- Supaul; Accused/ petitioner Vs. State of BiharO.P. Ld. Counsel for petitioners Sri. Shiv Bhushan Singh, Advocate. Ld. APP Sri. Amar Kumar Das, for the State. By this order we are going to dispose off two anticipatory bail applications i.e., ABA-619/2026 filed on behalf of two accused/ petitioners, namely Shailendra Sardar and Pinki Devi and ABA-698/2026 filed on behalf of accused/ petitioner, namely Badri Sardar, who are apprehending their arrest. As both the anticipatory bail applications arises out of same police station i.e., Pratapganj PS Case No.12/2026, u/s- 191(1), 191(3), 121(1), 121(2), 132, 115(2), 118(1), 109, 76, 324 (4), 324(5) of BNS. Ld. counsel for the accused/ petitioners argued that accused/ petitioners are quite innocent and have committed no offence and they have falsely been implicated in this case due to dirty village politics. He further submitted that accused/ petitioners have not involved in any other criminal 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. PP for the State strongly opposed the anticipatory bail application. In brief, the prosecution story is that on dated 14.01.2026 at about 06:30 PM, Sub-Inspector Sanjay Kumar Singh of PS Simrahi received a secret information and on that basis, the police team reached at village- Shripur at the house of Yogendra and Rohit Sardar and tried to search their house. Then, the accused persons started abusing the police team and there were 25-30 persons gathered and attacked on the police party. These accused persons also destroy the police vehicle and also assaulted	Contd.
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<u>Contd.</u> <u>14/05/2026</u>	S.I Anjali Kumari on her head and caught her hairs and put on the ground. The arrested accused Yogendra Sardar disclosed the names of other 15 persons and on that basis, this FIR was registered against the accused persons. Argument heard from both sides and perused the record as well as case diary. On perusal of the case diary, it transpires that the members of the raiding party have duly supported the prosecution case. As per the injury report of injured S.I Anjali Kumari, the doctor has opined the nature of nature as simple caused by hard and blunt weapon. Right from the para No.1 to 128 of the case diary, the I.O. has nowhere stated regarding the previous involvement of the accused/ petitioners. The allegation against these accused/ petitioners are general in nature. As per the submission of the Ld. counsel, these accused/ petitioners are having the clean antecedent. The accused/ petitioners are the permanent residence of District- Supaul and they are of down trodden society. Keeping in mind the nature of allegation, clean antecedent of the accused/ petitioner as well as the accused/ petitioners are of down trodden society. Hence, 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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