

In the Court of Sessions Judge, Supaul
B.A.-327/2026
(Arising out of Kishanpur P.S. Case No. 82/2026)

	Satan Sah, S/o- Ramdev Sah, R/o- Aasanpur Kupaha, PS- Kishanpur, District- Supaul; Accused/Petitioner Vs. State of BiharO.P.	
<u>12/06/26</u>	Ld. Counsel for petitioner Sri. Janardhan Prasad Sah, Advocate. Ld. APP Md. Abu Jaffar, for the State. By this order we are going to dispose off the bail application filed on behalf of the accused/ petitioner, namely Satan Sah, who is in judicial custody since 12.04.2026 in connection with Kishanpur PS case No.82/26, u/s- 126(2), 115(1), 118(1), 109, 303, 352, 351(2), 3(5) of BNS & 27 Arms Act. Ld. counsel for the accused/ petitioner submitted that accused/ petitioner is quite innocent and has committed no crime and he has falsely been implicated in this case due to dirty village politics. He further submitted that accused/ petitioner is also involved in 4 more criminal cases. He further submitted that the offence as alleged in FIR is not applicable against the accused/ petitioner. It is also submitted that accused/ petitioner is in judicial custody since 12.04.2026 and no useful purpose would be served by keeping the accused/ petitioner behind the bar. Ld. APP for the State strongly opposed the prayer of bail application. In brief, the prosecution story is that on dated 11.04.2026 at about 08:00/09:00 P.M., the informant was busy in cutting the wheat crops and the accused persons namely Satan Sah, Pramodh Sah, Girish Sah and Gajendra Sah arrived there on two motorcycles and they were started abusing and assaulting the informant and his sons. The accused persons also having the deadly weapon and accused Satan Sah also called the other accused persons namely Raj Kumar Sah, Shambhu Sah, Dharendra Sah, Anil Sah, Nitish Kumar and 5-7 other unknown accused persons and all the accused persons were having the stick, iron-rod and pistol. Accused Raj Kumar Sah instigated the other accused persons then accused Satan Sah having the country made pistol fired upon the informant. However, he has not sustained any injury. Similarly, the accused Gajendra Sah also fired upon the son of the informant namely Manish Kumar, though he saved himself. Accused Pramod Sah also fired upon the son of the informant namely Deepak Kumar and he sustained injury on the left side of his abdomen and he fell down on the ground. In the meantime accused Dharendra Sah snatched the golden chain from Deepak Kumar and accused Girish Sah also snatched cash of Rs.50,000/- from the pocket of Deepak Kumar. The informant further alleged that accused Shambhu Sah also fired upon Santosh Choudhary and accused Girish Sah also snatched cash of Rs.27,000/- from the informant. Argument heard from both sides and perused the record as well as case diary.	Contd.

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Admittedly, the accused/ petitioner is in judicial custody since 12.04.2026. On going through the case diary, it transpires that the police has also recorded the statement of witnesses namely Santosh Kumar and Badri Choudhary and they have duly supported the contention of the informant. As per para No.39 of the case diary, the injured Deepak Kumar is referred to PMCH, Patna for better treatment. In para No.46 of the case diary, the I.O also mentioned the medical history of the injured Deepak Kumar issued by the Dr. of Anant Prerna Hospital and the doctor has specifically stated that the injured admitted in his hospital on 11.04.2026 at about 07:45 P.M and there was the gun shot injury on left lumber region 1cm x 0.5cm x 1.5 cm and abdomen distended physically. As per para No.61 of the case diary, the I.O also recorded the statement of the injured Deepak Kumar, Manish Kumar @ Golu and Pradeep Kumar. As per para No.69 of the case diary, this accused/ petitioner is also involved in 5 more criminal cases bearing **(i) Kishanpu PS Case No.93/23, (ii) Kishanpur PS Case No.73/23, (iii) Kishanpur PS Case No.211/16, (iv) Nadi PS Case No.23/20 and (v) Nadi PS Case No.11/21**. As per para No.73 of the case diary, the doctor of PHC, Kishanpur has opined that the injured Deepak Kumar has sustained gun shot injury and opined the nature of injury as grievous. Though as per case diary, the injured has not sustained any injury from the injury caused by this accused/ petitioner, but this accused/ petitioner was present at the place of occurrence and fired upon the informant and actively participated in the commission of the crime and this accused/ petitioner is also involved in 5 more criminal cases of grievous nature. The allegation against this accused/ petitioner is very serious in nature. The investigation of this case is in primary stage. There is strong apprehension of tempering of the prosecution evidence by the accused/ petitioner.

Hence, keeping in mind the seriousness of the allegation and the previous involvement of the accused/ petitioner, I find that accused/ petitioner is not entitled to be enlarged on bail at stage. Therefore, the bail application, filed on behalf of accused/ petitioner, namely Satan Sah stands, **Rejected. However, accused/ petitioner is at liberty to file the fresh bail application after filling of the charge-sheet.**

Dictated
-Sd-
(Anant Singh)
Sessions Judge, Supaul