

In the Court of Sessions Judge, Supaul
A.B.A.-1794/2025 & ABA-1837/2025
(Arising out of Kishanpur PS Case No:-241/2025)

ABA-1794/2025

Sanjay Kumar, S/o- Sukhdev Yadav @ Rajo Yadav, R/o- Mehasimar, Ward No.02, PS- Kishanpur, District- Supaul;

.....Accused/Petitioner

Vs.

State of Bihar.

.....O.P.

ABA-1837/2025

Md. Akhtar Miyan @ Md. Akhtar, S/o- Md. Sabur Miyan, R/o-Mehasimar, Ward No.04, PS- Kishanpur, District- Supaul;

.....Accused/Petitioner

Vs.

State of Bihar.

.....O.P.

10/04/2026

Ld. Counsel for petitioners Sri. Raj Kumar Singh, Advocates.

Ld. PP Sri. J.N.Pandey, for the State.

Ld. counsel for informant Md. Abu Bakar, Advocate.

By this order we are going to dispose off two anticipatory bail applications i.e., ABA-1794/2025 filed on behalf of accused/ petitioner, namely Sanjay Kumar and ABA-1837/2025 filed on behalf of accused/ petitioner namely Md. Akhtar Miyan @ Md. Akhtar, who are apprehending their arrest. As both the anticipatory bail applications arise out of same PS i.e., Kishanpur PS Case No.:-241/2025, u/s-126(2), 115, 110, 132, 352, 351(2), 3(5) of BNS.

Ld. counsel for the accused/ petitioners submitted 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. He further submitted that accused/ petitioners have also involved in two other criminal cases. He further submitted 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 24.11.2025 the informant namely Shailendra Kumar, who is working as a Panchayat Rojgar Sevak at Gram Panchayat, Mehasimar, was busy in performing the E-KYC at his Kishanpur Block Office and in the meantime Sanjay Kumar, who is the husband of local Mukhiya of Mehasimar Gram Panchayat and Md. Akhtar along with some other unknown persons arrived there and started abusing and assaulted him. The

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Contd.
10/04/2026

accused persons also snatched the Government documents and created hindrance in the performing of the public duty. After sustaining the injury, the informant became unconscious and he was taken to Kishanpur CHC by the local person and from there he was referred to Sadar Hospital, Supaul. The informant further alleged that earlier also accused Sanjay Kumar assaulted the Gramin Awas Sahayak and the FIR was registered against the accused Sanjay Kumar at PS Kishanpur bearing PS Case No.276/22. The informant further alleged that the accused Sanjay Kumar is a criminal bent of mind and regularly threatening the block employees and pressurizing them.

Argument heard from both sides and perused the lower court record. On going through the case diary, it transpires that the police also recorded the statement of the witnesses namely Santosh Kumar, Damodar Seth, Mahadeo Das, Sunita Devi, Geeta Devi and Kapil Narayan Seth and all the witnesses have duly supported the contention of the informant. As per para No.24 of the case diary, the accused/ petitioner Sanjay Kumar is also involved in two more criminal cases bearing Kishanpur PS Case No.276/22 and Kishanpur PS Case No.135/21. As per the injury report of the injured Shailendra Kumar, the doctor has found redness of left eye, abrasion under both lip, multiple 4 abrasion over right leg and multiple 3 abrasion over right leg and opined the nature of injury as simple. Ld. counsel for the informant submitted that the accused/ petitioner Sanjay Kumar, who is the husband of local Mukhiya and he is also working as a constable in Bihar Police and at present posted at district Patna. Though the doctor has opined the nature of injury of injured/ informant as simple, but the allegation against the accused/ petitioners are very serious in nature that both the accused/ petitioners have forcibly entered into the office of informant and assaulted him and also created hindrance in performance of public duty. Besides this the accused/ petitioner Sanjay Kumar is also involved in two more cases as stated by the I.O in para No.24 of the case diary. Though the offence under which the FIR was registered against the accused persons are punishable up to 7 years, but keeping in mind that the accused/ petitioner Sanjay Kumar, who is the husband of local Mukhiya and he is also working as a constable in Bihar Police and the accused/ petitioner namely Md. Akhtar Miyan @ Md. Akhtar is actively participated in the commission of the crime along with main accused Sanjay Kumar. Therefore,

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tempering of the prosecution evidence by the accused/ petitioners is also cannot be ruled out. The allegation against the accused/ petitioners are very serious in nature. The custodial interrogation of the accused/ petitioners is also required.

Hence, keeping in mind the seriousness of the allegation, I find that both the accused/ petitioners are not entitled to get the benefit of anticipatory bail. As such, the prayer of the anticipatory bail, on behalf of both accused/ petitioners namely Sanjay Kumar and Md. Akhtar Miyan @ Md. Akhtar is hereby, **Rejected**. Both the accused/ petitioners are directed to surrender before the Learned Lower Court within 15 days from the date of receipt of a copy of this order and pray for regular bail.

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