

In the Court of Sessions Judge, Supaul
A.B.A.-1850/2025 & ABA-1858/2025
(Arising out of Kishanpur PS Case No:-205/2024)

ABA-1850/2025

1. Arbind Kumar Jha, S/o- Late Bhuneshwar Jha;
2. Baiju Jha @ Karo Jha, S/o- Arbind Kumar Jha;
3. Dasrath Mukhiya, S/o- Late Nathuni Mukhiya;
4. Bhupin Mukhiya, S/o- Dasrath Mukhiya;
5. Saifat Mukhiya, S/o- Late Nathuni Mukhiya;
6. Upin Mukhiya, S/o- Dasrath Mukhiya;
7. Chotelal Mukhiya, S/o- Late Nathuni Mukhiya;
8. Siru Mukhiya, S/o- Late Manpur Mukhiya, All R/o- Abhuar, PS-Kishanpur, District- Supaul,

.....Accused/Petitioners
Vs.

State of Bihar.O.P.

ABA-1858/2025

1. Lalit Narayan Jha, S/o- Late Mishri Jha;
2. Madhav Jha, S/o- Late Mishri Jha;
3. Hero Jha @ Saroj Jha, S/o- Lalit Narayan Jha;
4. Rahul Jha, S/o- Lalit Narayan Jha;
5. Keshav Jha, S/o- Chandra Mohan Jha;
6. Chandan Jha @ Saurabh Kumar, S/o- Madhav Jha;
7. Suraj Jha, S/o- Chandra Mohan Jha, All R/o- Abhuar, PS-Kishanpur, District- Supaul,

.....Accused/Petitioners
Vs.

State of Bihar.O.P.

16/03/2026

Ld. Counsel for petitioners Sri.Harishchandra Mishra and Sri. K.K.Singh,
Advocates.

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

Ld. counsel for informant Sri. N.N.Thakur, Advocate.

By this order we are going to dispose off two anticipatory bail applications i.e., ABA No:-1850/2025 filed on behalf of 8 accused/ petitioners namely Arbind Kumar Jha, Baiju Jha @ Karo Jha, Dasrath Mukhiya, Bhupin Mukhiya, Saifat Mukhiya, Upin Mukhiya, Chotelal Mukhiya and Siru Mukhiya and ABA No.1858/2025 filed on behalf of 7 accused/ petitioners namely Lalit Narayan Jha, Madhav Jha, Hero Jha @ Saroj Jha, Rahul Jha, Keshav Jha, Chandan Jha @ Saurabh Kumar and Suraj Jha, who are apprehending their arrest in connection with Kishanpur PS Case No.:-205/2024, u/s- 126(2), 115(2), 118(2), 352, 351(2), 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 also submitted that after completion of investigation, the police has submitted the charge-sheet only against 5

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<p><u>Contd.</u> <u>16/03/2026</u></p>	<p>accused persons under bailable sections and not found any evidence against remaining accused persons and they were not sent up for trial. However, the Ld. Lower court has taken cognizance against all the accused persons named in FIR for the offence u/s- 118(2) of B.N.S along with other sections. He further submitted that the instant case is counter-blast of Kishanpur PS Case No.204/24. 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.</p> <p style="text-align: center;">Ld. PP for the State strongly opposed the anticipatory bail application.</p> <p>In brief, the prosecution story is that on dated 13.08.2024 at about 11:00 A.M., 18 accused persons named in FIR including these accused/ petitioners having the deadly weapon started threatening the informant and forcibly tried to occupy his agricultural land bearing Khesra No.4426 and 4427, area 22 katha. The informant further alleged that the accused persons has lost the civil suit before the Court of SDM, Supaul. The informant further stated that the grand father of Anil Awasthi has executed the sale deed in the year 1941 in favour of Bhagwat Prasad Singh and his ancestor has purchased this land from Bhagwat Prasad Singh. The informant further alleged that the grand son of Gobind Prasad Awasthi namely Anil Awasthi has sold this land to Lalit Jha and Lalit Jha has lost the civil suit in the court and forcibly tried to occupy the agricultural land. The informant further alleged that accused Lalit Jha has snatched his mobile phone and also slapped him and when Jyotish Chandra Jha, Pawan Jha, Raman Jha came there then the accused persons also assaulted them.</p> <p>Argument heard from both sides and perused the lower court record. On perusal of lower court record, it transpires that in this case the police has registered the FIR u/s- 126(2), 115(2), 118(1), 109, 352, 351(2), 3(5) of B.N.S against the accused persons. However, after completion of investigation, the police has submitted the charge-sheet only against 5 accused persons for the offence u/s- 126(2), 115(2), 117(2), 352, 351(2), 3(5) of B.N.S and not found any evidence against remaining accused persons and they were not sent up for trial. However, the Ld. Magistrate vide order dated 06.01.2025 has taken cognizance against all the accused persons named in FIR for the offence u/s- 126(2), 115(2), 117(2), 118(2), 352, 351(2), 3(5) of B.N.S. Since the police has submitted the charge-sheet against the accused persons under minor section. However, the Ld. Magistrate has taken cognizance under graver section. Investigation of this case is complete and charge-sheet against the accused persons has already been submitted. All the accused/ petitioners are the permanent resident of District- Supaul and there is no any chance of absconding the accused persons.</p>	<p>Contd.</p>
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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 BNSS and one of the bailor must be the family member or close relative.

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