

In the Court of Motish Kumar Singh Sessions Judge, Siwan.

Anticipatory Bail Petition No. 1037/2026

Mahadeva P.S. Case No. 73/2026

Osama Sahab..... Petitioner

Vs.

The State of Bihar O.P.

ORDER

28.04.2026

1. Ld. Counsel moves this anticipatory bail petition on behalf of accused petitioner namely **(1) Osama Sahab**, who apprehends his arrest in connection with Mahadeva P.S. Case No. 73/2026 registered u/s 126(2), 115(2) 303(2), 191(2), 191(3), 190, 308(5), 329(3), 329(4), 352, 351(2) of BNS.

2. Ld. Counsel for the petitioner submits that petitioner is innocent and has committed no offence, rather he has falsely been implicated in this case. Petitioner bears three criminal antecedents. The allegations as narrated in the FIR is totally false, baseless and concocted. Nothing has been recovered from the person and possession of the petitioner. Ld. counsel further submits that the alleged land has been purchased by the wife of the petitioner on 20.02.2023, thereafter the informant has purchased the same land on 07.09.2024 from Sugriv Singh & others, having no title and possession over the same. There is no chance of his absconding and tampering with the evidence. Hence, Ld. Counsel prays for anticipatory bail.

3. On the other hand, Ld. P.P opposes the prayer for anticipatory bail.

4. Heard. Perused the record.

5. From perusal of the record, it transpires that an F.I.R vide Mahadeva P.S. Case No. 73/2026 was registered on 15.04.2026 u/s 126(2), 115(2) 303(2), 191(2), 191(3), 190, 308(5), 329(3), 329(4), 352, 351(2) of BNS against the petitioner along with other co-accused persons and 30 to 35 unknown persons. As per FIR, the informant alleged that 30 to 40 henchmen assaulted the labourers working on the plot of the informant and took away the iron cutting machine, CCTV and other tools and threatened to kill and asked to leave the claim over the disputed land.

6. From perusal of record, it appears that there is allegation against the petitioner that he telephonically threatened the informant and directed her to immediately stop construction work and thereafter his 30 to 40 henchmen

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assaulted the labourers working on the plot of the informant and took away the iron cutting machine, CCTV and other tools and threatened to kill.

7. As per para-3 of the bail petition as well as para-66 of the photo copy of case diary, it appears that petitioner bears following three criminal antecedents:-

(i) Hussainganj P.S Case No. 249/2023 registered u/s 147, 149, 447, 307, 386, 427, 120(B), 504, 506/34 of BNS and 27 Arms Act.

(ii) M.H Nagar P.S Case No. 148/2026 registered u/s 191(2), 190, 126(2), 11592), 109, 352, 351(2), 61(2) & 27 Arms Act

(iii) Motihari Town P.S Case No. 533/2023 registered u/s 384, 427, 504, 506/34 of BNS and 27 Arms Act in several police stations. Investigation is going on.

8. Considering the aforesaid facts and criminal antecedents of heinous nature pending against the petitioner, I am not inclined to grant the privilege of anticipatory bail to the petitioner. Hence, the present anticipatory bail application filed on behalf of petitioner **Osama Sahab** is hereby **rejected**.

(Dictated)

(Motish Kumar Singh)

Sessions Judge,

Siwan.

28.04.2026