

In the Court of Addl. Sessions Judge-Vth, Siwan.
Anticipatory Bail Petition No. 1291/2026
G.B. Nagar P.S. Case No. 217/2026
Adardshs Kumar Sah and four others Petitioners.
Vs.
The State of Bihar O.P.

ORDER

17.06.2026

This anticipatory bail petition has been filed on behalf of accused-petitioners namely **Adardsh Kumar Sah, Sandeep Kumar Sah, Ujjawal Kumar, Nagendra Kumar and Mahesh Kumar** in apprehending their arrest in connection with G.B. Nagar P.S. Case No. 217/2026 registered u/s 190, 126(2), 115(2), 109(1), 352, 351(1) of BNS against the petitioners and others, put up and pressed.

Heard both sides.

As per the written petition of informant Arif Ali, the prosecution case, in short, is that on 24.04.2026 at about 8:30 P.M at night, the informant was playing caramboard in front of his house, at the same place, son of Ashique Ali was also playing there. It is alleged that one Raja Kumar was coming riding on a motorcycle and he hit the son of Ashique by bike, due to which, Gayasudding (uncle of the child) slapped to Raja Kumar. Thereafter, family members of Raja Kumar came and started enquiring, in the meantime, the petitioners and others armed with lathi, bricks, stone started assaulting. It is further alleged that petitioner Nagendra Kumar assaulted to the informant by means of rod and he sustained head injury, in the meantime, during rescue, Arsad Ali also sustained head injury. When, the family members of the informant came to know about the incident, then they took the injured to Sadar Hospital, Siwan for treatment.

Ld. Counsel of petitioners submits that the petitioners are innocent and have committed no offence rather they have falsely been implicated in this case. The petitioners bear clean past having no criminal antecedent. There is no any allegation of assault to anyone by any means and there is only allegation to be members of unlawful assembly and no specific allegation against the petitioners. There is case and counter case in between the parties. Compromise petition has been filed before the court. Section 109 of BNS is not attracted against the petitioners. Co-accused Santosh Sah and Suraj Kumar have already been granted bail by this court vide B.P. No. 521/26. In the meantime, the petitioners are in apprehension of their arrest by the hands of local police. There is no chance of

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their absconding or tampering with the prosecution evidence. Hence, they pray for anticipatory bail.

On the other hand, Ld. A.P.P opposes prayer of anticipatory bail.

Having gone through the aforesaid facts and submissions as advanced on behalf of both sides and after perusal of record, it appears that this case has been registered u/s 190, 126(2), 115(2), 109(1), 352, 351(1) of BNS against the petitioners and others. There is allegation against the petitioners that they assaulted to the informant and her family members. There is no injury report on the record. There is case and counter case in between them. Genesis of dispute starts from cricket game among the children of both sides. Both sides have compromised the case. Informant of G.B. Nagar P.S. Case No. 216/26 and her son (injured) appeared before the court and admitted the factum of compromise by them. There is no criminal antecedent mentioned in the case diary.

So, considering the aforesaid facts, it seems proper to grant privilege of bail to the petitioners, in the event of their arrest or surrender before learned trial court within four weeks from today after furnishing bail bonds of Rs. 10,000/- with two sureties of like amount each to the satisfaction of learned trial court subject to condition u/s 482 of BNSS.

(Dictated)

Sd/-

(Umashankar)
Addl. Sessions Judge-Vth,
Siwan.
17.06.2026.