

IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE-XII,
SIWAN

Bail Petition No. 702/2026

(Arising out of Barharia P.S. Case No. 132/2026)

Pappu Kumar Vs. State.

U/s – 126(2), 115(2), 118(1), 109, 351(3), 352, 3(5) of the B.N.S.

O R D E R

Accused is in custody since 27.05.2026

02.07.2026 Ld. Counsel Sri Sandeep Kumar Sharma for the petitioner.

Ld. A.P.P. Sri Sudama Thakur for the State.

Heard both Sides, this bail petition has been filed on behalf of custody accused petitioners namely (1) **Pappu Kumar** who is in custody since 27.05.2026 in connection with **Barharia P.S. Case No. 132/2026** registered u/s.- **126(2), 115(2), 118(1), 109, 351(3), 352, 3(5)** of the B.N.S. Heard both the sides on bail petition.

The learned counsel for the petitioner submitted that no other bail application is pending before any court. He further submitted that the petitioners have no criminal antecedents. The petitioner is rotting in judicial custody since 27.05.2026. All prosecution story is totally false, baseless and concocted. Petitioner are quite innocent and they have not committed offence. Further submitted that a land dispute is going on between the parties and due to the same, this false case has been brought into existence to put pressure upon the petitioner so that informant side can grab the land of the petitioner. Later on, dated 19.03.2026, the petitioner side also filed a petition before the Id. SDO, Siwan, to initiate proceedings under Section 163 BNSS against informant side. He further submitted that a counter blast case has been registered against informant vide Barharia P.S. Case No. 134/2026. He has further submitted that the petitioner under takes that neither he will abscond nor he will temper with the prosecution evidence after admitted to bail. Accordingly, the Ld. Counsel has prayed that the petitioner may be enlarged on bail.

On the other hand, the Ld. A.P.P. for the State has opposed the prayer of bail.

Heard both the sides and perused the case record. From perusal of case record, it appears that in this case the F.I.R. has been lodged in connection with Barharia P.S. Case No. 132/2026 registered u/s.- 126(2), 115(2), 118(1), 109, 351(3), 352, 3(5) of the B.N.S. The prosecution story in brief as per F.I.R., the informant has alleged that on 17.03.2026 at about 06:00 P.M., all the accused persons, came to the informant's house and stated demolishing the boundary wall constructed on her purchased land. When the informant objected, they abused and assaulted her. it is alleged that Putul Devi threw chilli powder into her eyes, after which the accused snatched her gold mangalsutra and gold rings. On hearing her alarm, villagers intervened, and the accused fled. Thereafter, when

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the informant returned from treatment, the accused again started breaking the boundary wall. On her husband's objection, they allegedly assaulted him with sword, iron rod, and sticks, causing injuries, and also snatched cash kept in his pocket. On hearing his cries, villagers gathered, whereupon the accused fled, and the injured was taken to the local health centre for treatment. This Court further finds that in para Nos. 50 of the case diary, the injuries sustained by the injured persons are simple in nature. Further, from perusal of Para No. 03 of the bail petition as well as Para no. 59 of the case diary, it appears that the petitioner has no criminal antecedents. The petitioner is in judicial custody since 27.05.2026.

Having considered the aforesaid discussions, materials on record, and the facts and circumstances of the case as well as the period of custody undergone by the petitioner, this Court finds that the petitioner has clean antecedents. The injury report does not disclose any injury on any vital part of the body, and despite sufficient opportunities, the learned APP has failed to produce the supplementary injury report. It further appears that the present matter is a case and counter-case. Considering the petitioner's clean antecedents, the nature of the injuries, and the material presently available on record, this Court is inclined to enlarge the petitioner on bail. Hence, the prayer for bail of accused petitioner namely **(1) Pappu Kumar** is directed to be released on bail after furnishing **bail bonds of Rs. 10,000/- with two sureties of like amount each to the satisfaction of the ld. trial court and subject to conditions as mentioned under Section 480 of the B.N.S.S.**

Accordingly the bail petition filed on behalf of custody accused persons namely **(1) Pappu Kumar** is hereby **allowed**.

(Dictated)

Sd/-

(Ashish Mishra)

DASJ-XII, Siwan