

In the Court of Motish Kumar Singh Sessions Judge, Siwan.
Anticipatory Bail Petition No. 1849/2026
Andar P.S. Case No. 145/2026
Kundan Kumar @ Kundan Gupta & Ors..... Petitioners
Vs.
The State of Bihar O.P.

ORDER

20.07.2026

1. Ld. Counsel moves this anticipatory bail petition on behalf of accused petitioners namely **(1) Kundan Kumar @ Kundan Gupta, (2) Puja Kumari @ Puja Gupta, (3) Bebi Devi**, who apprehend their arrest in connection with Andar P.S. Case No. 145/2026 registered u/s 103(1), 3(5) of BNS.

2. Ld. Counsel for the petitioners submits that petitioners are innocent and have committed no offence, rather they have falsely been implicated in this case. The allegations as narrated in the FIR is totally false, baseless and concocted. Petitioners bear no criminal antecedent. Ld. Counsel further submits that there is land dispute between the parties. There is no specific allegation against the petitioners. There is counter case too. There is no chance of their 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 bearing Andar P.S. Case No. 145/2026 was registered on 04.05.2026 u/s 103(1), 3(5) of BNS against the petitioners along with other co-accused persons. As per fardbeyan, the informant alleged that on 03.05.2026 at about 10:00 A.M, he and his brother was standing on his Darwaja. In the meantime, informant's pattidar petitioners along with other co-accused persons came at the informant's Darwaja and started hurling abuses and attacked with danda, iron pipe and bricks, as the result the informant and his brother became injured. It is alleged that people of vicinity came for their rescue, in the meantime, informant's brother became unconscious and brought to sadar hospital, Siwan for treatment and from where, he was referred to Gorakhpur and in the way, he succumbed to the injury.

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6. From perusal of record, it appears that there is allegation against the petitioners that they along with other co-accused persons assaulted the informant and his bother with danda, iron pipe and bricks, as the result informant's brother succumbed to the injury. From perusal of statement of witnesses mentioned in para-9 and 10 of the photo copy of case diary, it appears that they supported the prosecution version. The photo copy of post-mortem report is available with case diary and from perusal of the post-mortem report of deceased, it appears that the cause of death is mentioned as head injury caused by hard blunt object.

7. As per para-3 of the bail petition as well as para-49 of the case diary, it appears that petitioners bear no criminal antecedent.

8. Considering the aforesaid facts and gravity of the offence, the present anticipatory bail application filed on behalf of petitioners **(1) Kundan Kumar @ Kundan Gupta, (2) Puja Kumari @ Puja Gupta, (3) Bebi Devi** is hereby **rejected**.

(Dictated)

(Motish Kumar Singh)
Sessions Judge,
Siwan.
20.07.2026