

In the Court of Addl. Sessions Judge-Vth, Siwan.
Anticipatory Bail Petition No. 2840/2025
Andar P.S. Case No. 269/2025
Sanjay Gupta @ Sanjay Kumar Gupta and two others Petitioners.
Vs.
The State of Bihar O.P.

ORDER

20.05.2026

This anticipatory bail petition has been filed on behalf of accused-petitioners namely **Sanjay Gupta @ Sanjay Kumar Gupta, Vikash Gupta @ Vikash Kumar Gupta and Akash Sharma** in apprehending their arrest in connection with Andar P.S. Case No. 269/2025 registered u/s 191(2), 191(3), 190, 126(2), 115(2), 109(1), 118(1), 117(2), 352, 351(2) of BNS against the petitioners and others, put up and pressed.

Heard both sides.

As per the fardbeyan of the informant Birendra Singh recorded by S.I. Khushboo Kumari at about 4:50 P.M on 04.09.2025 at Sai Hospital (private), Siwan, the prosecution case, in short, is that on 01.09.2025 at about 9:00 P.M at night, the informant was walking after taking meal, in the meantime, co-accused Prabhu Yadav came at the darwaza of the informant and he ordered to the informant to come with him and go to flour mill of Sanjay Gupta for solving quarrel taken place among the children. As soon, the informant reached near flour mill of Sanjay Yadav, thereafter, the petitioner Sanjay Gupta and Prabhu Yadav both cuaght hold the informant tightly, in the meantime, other petitioners and co-accused attacked to the informant with intention to kill him. It is further alleged that petitioner Vikash Gupta put country made pistol on the forehead of the informant and told to kill him. In the meantime, accused Ramjanam Sah, Sujeet Gupta and Akash Gupta (petitioner) started assaulting to the informant by means of hockey stick. When, the informant tried to flee away, in the meantime, petitioner Akash Sharma assaulted to the informant by legs and he fell down and petitioner Vikash Gupta also assaulted to the informant by means of sword on his forehead and he sustained head injury and fell down. It is further alleged that petitioner Sanjay Gupta and co-accused Prabhu Yadav ordered to kill the informant. It is further alleged that accused Viru Pandey and Sujeet Kumar assaulted to the informant by means of hockey sticks till the informant became unconscious. It is further alleged that after treatment, when the informant gained consciousness, then he came to know that his both hands were completely fractured. It is further alleged that 12 stiches were put on the head of informant due to severely injury.

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

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bear clean past having no criminal antecedent. This case is counter blast of Andar P.S. Case No. 263/25 loded on 02.09.2025 by Gyanti Devi wife of Sanjay Gupta. The petitioners have got no concern with other accused persons named in the F.I.R. The allegations against the petitioners are false and concocted. In the meantime, the petitioners are apprehending their arrest by local police. There is no chance of their absconding or tampering with the prosecution evidence. Hence, they pray for anticipatory bail.

On the other hand, Ld. A.P.P vehemently 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 191(2), 191(3), 190, 126(2), 115(2), 109(1), 118(1), 117(2), 352, 351(2) of BNS against the petitioners and others. There are specific allegations against the petitioners that they assaulted to the informant on his head and hands by means of sword, hockey sticks and legs and informant received 12 stiches on his head due to above injuries. Besides it, hands of informant also got fractured. The doctor found nature of injuries grievous caused by hard blunt substance. The injury report corroborates the occurrence. The head is vital part of body. Witnesses have supported the prosecution story that is evident from para no. 6 and 17 of case diary. There are sufficient materials against the petitioners in the case diary. It is pre-arrest bail.

So, considering the aforesaid facts and nature of offence, it does not seem proper to grant privilege of anticipatory bail to the petitioners, hence, it is **rejected**.

(Dictated)

Sd/-

(Umashankar)

Addl. Sessions Judge-Vth,
Siwan.

20.05.2026