

In the Court of Sessions Judge, Vaishali
A.B.P. No. 566/2026

1. Kanchan Kumari @ Kanchan Devi, aged about 30 years W/o Sanoj Rai @ Sanoj Kumar Rai,
2. Sanoj Kumar Rai @ Sanoj Rai, aged about 37 years S/o Shivchandra Rai,
3. Shivchandra Rai, aged about 56 years S/o Late Sipahi Rai,
4. Shivani Kumari, aged about 19 years S/o W/o Ravindra Rai,
5. Ravindra Rai, aged about 40 years S/o Shivchandra Rai,
6. Sudamiya Devi, aged about 35 years W/o Ravindra Rai.

All are residents of village – Parmanandpur Lal, P.S. - Mahua, Distt. - Vaishali.

	Verses	Petitioners
State of Bihar	-	O.P.

Appearance :-

Learned counsel for the petitioners :- Sri Shashishekhar Singh, advocate.

Learned P.P. for the State : - Sri Shyam Babu Rai,

Present : Harshit Singh,
Sessions Judge, Vaishali.

Date of order : 21st. April 2026

Heard the learned defence counsel as well as learned Public Prosecutor on the anticipatory bail application filed on behalf of the above named accused petitioners under section 482 of B.N.S.S. who are apprehending their arrest in connection with Mahua P.S. Case No.75/2026 U/ss. 126(2), 115(2), 117, 109, 303(2) & 3(5) of B.N.S..

It is stated in Para 2 of the anticipatory bail petition that no bail application either anticipatory or regular has been filed in the present case either before this court of Sessions or before the Hon'ble High Court, Patna.

The case of the prosecution in brief, as per fardbayan of informant Ajay Rai is that on 27.01.2026 at about 7 P.M. when he had gone to the house of the accused petitioners as named in the F.I.R. to demand his debt amount, the accused Shivchandra Rai ordered to break his leg, on which accused **Ravindra Rai** assaulted with lathi on his head and caused injury. Accused **Sanoj Rai** assaulted with iron rod on knee of his right leg and got his upper part of knee fractured. The reason behind the occurrence

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is that in December 2024 Sanoj Rai had taken loan of Rs.80,000/- for purchasing pick-up and Ravindra Rai had taken Rs.50,000/- from him in March 2025 for marriage of his daughter and they had assured to return the money within two months but they did not return the said debt amount.

Learned counsel for the petitioners submits that the petitioners are innocent and have not committed any offence. They have falsely been implicated in this case. The entire allegation is false and concocted. No occurrence as alleged took place. The bone of informant was fractured on month prior to the alleged occurrence. The accused petitioners have no criminal antecedent. Hence, prayer has been made for anticipatory bail.

Learned Public prosecutor opposed the prayer for anticipatory bail.

Heard the parties. Perused the record and the case diary. From perusal of the record and the case diary, it transpires that there is general and omnibus allegation against the petitioners no.1, 3, 4 & 6 namely Kanchan Kumari @ Kanchan Devi, Shivchandra Rai, Shivani Kumari and Sudamiya Devi to assault the informant and they have no criminal antecedent as mentioned in Para 3 of the bail petition.

Therefore, considering the aforesaid facts and circumstances of the case as well as nature of the allegations, the prayer for anticipatory bail of the accused petitioners no.1, 3, 4 & 6 namely Kanchan Kumari @ Kanchan Devi, Shivchandra Rai, Shivani Kumari and Sudamiya Devi is hereby allowed and it is ordered that in the event of arrest or surrender, they will be enlarged on anticipatory bail, on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned court below within four weeks of this order, subject to the conditions as laid down under section 482(2) of the Bhartiya Nagrik Suraksha Sanhita 2023.

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So far, petitioners no.2 & 5 namely Sanoj Kumar Rai @ Sanoj Rai and Ravindra Rai is concerned, there is specific allegation against them of assaulting the informant with lathi and iron rod, causing head injury and fracture of right leg, which is supported by the injury report as mentioned in Para 58 of the case diary. The informant in his re-statement in Para 14 and other witnesses namely Daulat Devi, Satendra Rai, Shyama Devi and Sarita Devi in Para 8, 9, 10 & 15 of the case diary have supported the prosecution case.

The injury report of injured/informant Ajay Rai mentioned in Para 58 of the case diary shows that he has **sustained** :-

1. Abrasion of size 1 cm x 0.5 cm over left side of forehead.
2. Abrasion of size 1 cm x 1 cm over right leg with deformity of bone.

The x-ray report of right leg shows – fracture of the shafts of right tibia and fibula seen with displacement.

The doctor has opined that the injury no.1 is simple in nature and the injury no.2 is grievous in nature caused by hard & blunt object.

Therefore, considering the aforesaid facts, circumstances of the case as well as nature of the allegations, I am not inclined to enlarge the petitioners no.2 & 5 namely Sanoj Kumar Rai @ Sanoj Rai and Ravindra Rai on anticipatory bail. Accordingly, their prayer for anticipatory bail is rejected.

(Dictated)

(Harshit Singh)
Sessions Judge, Vaishali

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