

In the Court of Sessions Judge, Vaishali
A.B.P. No. 939/2026

Bhawani Sah, aged about 53 years S/o Lacchami Sah @ Laxmi Sah
Resident of village – Ijra, P.S. - Hajipur Sadar, Distt. - Vaishali.

	-	Petitioner
Verses	-	
State of Bihar	-	O.P.

Appearance : -

Learned counsel for the petitioner : - Mr. Vikash Ranjan , advocate.

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

Present : Harshit Singh,
Sessions Judge, Vaishali.

Date of order : 27th. 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 petitioner under section 482 of B.N.S.S. who is apprehending his arrest in connection with Industrial Area P.S. Case No. 167/2025 registered u/ss. 126(2), 115(2), 303(2), 308(5), 352 & 3(5) 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 written report of informant Md. Akbar Ali is that on 11.11.2025 at 10.55 o'clock he was going towards Patna alongwith leaders of Rastrawadi Congress Party and JDU namely Suryakant Kumar Singh and Shaw Nawaj Ahmad with Car bearing registration no. BR1HQ 3634, then some antisocial elements borne on 4-5 motorcycles got his vehicle stopped and committed Mar-pit with him and snatched Purse from him. It is further alleged that they also snatched gold chain from his friend Suryakant. On alarm raised by him, several vehicles stopped. Video of bike borne people was made by his associate, in which the people borne on Bike number BR31AR8055, BR31L9382, BR01CP 5860 and BR31AY 6492 were saying that they are presenting themselves as JDU leader and used to give

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application against illegal mining. The miscreants were having illegal arms and they brandishing the arms fled away.

The learned counsel for the above named accused petitioner submits that the accused petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The entire prosecution case is false and concocted. No occurrence as alleged took place. He has no concern with the alleged occurrence. Due to traffic, the petitioners' bike stopped on the road. Petitioner is owner of Bullet Bike bearing registration no. BR31AR 8055 The accused petitioner has no criminal antecedent. Hence, a prayer has been made to allow this anticipatory bail petition.

The learned Public Prosecutor for the state opposed the prayer for anticipatory bail.

Heard both the parties and perused the case diary. After perusal of the case diary, it transpires that there is allegation that miscreants riding on 4-5 motorcycles got the informant's vehicle stopped and committed Mar-pit and also snatched Purse from informant and gold chain from the neck of his friend Suryakant. The motorcycle of the petitioner was identified on the basis of Video clip made by informant's associates. Para 21 of the case diary shows that witness Raju Kumar has stated that on the alleged date and time of occurrence when he came from Ramashish Chowk, then he saw that some bikers were scuffling with passengers of four wheeler vehicle, then he also by stopping his bike started to see due to Road Jam. During this course someone was making the video, in which his motorcycle no. BR31L 9382 figured and on this basis in the F.I.R. the number of his motorcycle has been given by the informant. There is no any recovery from the possession of petitioner. Only motorcycle of petitioner and other vehicles figured in the video clip made by informant's side, on which basis F.I.R. was lodged against unknown owners and driver of vehicles as mentioned in the F.I.R.. The petitioner is owner of one alleged Bike bearing registration no. BR31AR 8055. The petitioner has no criminal antecedent.

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Therefore, considering the aforesaid facts and circumstances of the case, as well as nature of allegations, the prayer for anticipatory bail of the above named accused petitioner, is hereby, allowed and it is ordered that in the event of arrest or surrender, he 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.

(Dictated)

(Harshit Singh)

Sessions Judge, Vaishali

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