

In the Court of Sessions Judge, Vaishali
A.B.P. No. 1030/2026

1. Harindar Sah, aged about 52 years, S/O-Late Anuplal Sah,
2. Rohit Kumar, aged about 21 years, S/O-Harendra Kumar,
3. Subham Kumar @ Suman Kumar, aged about 19 years, S/O-Harendra Sah,
4. Sanju Devi, aged about 45 years, W/O-Harendra Kumar

All R/O Vill.-Rasulpur Sohawan, P.S. Bhagwanpur, District-Vaishali

Versus

Petitioners

State of Bihar

O.P.

Appearance : -

Learned counsel for the petitioners : - Sri Mukesh Ranjan Verma, advocate.

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

Present : Harshit Singh,
Sessions Judge, Vaishali.

Date of order : 16th of 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 Bhagwanpur P.S. Case No. 67/2026 for the offences u/ss. 126(2), 115(2), 109, 352, 351(2), 324(4), 74, 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 written application of the informant is that on 19.02.2026 at about 1:00 PM, informant Ravi Kumar was sitting at his shop "Anda & General Stock" near Tyagi Nath Mandir, Bhagwanpur. At the same time, accused Harendra Sah, Rohit Kumar, Subhash Kumar, Suman Kumar, and Sanju Devi, reached there forming an unlawful assembly armed with bamboo sticks and sharp-edged weapons. Accused Harendra Sah, with intent to kill, assaulted informant Ravi Kumar on his head with a sharp weapon, due to which his head got cut and started bleeding. When informant's brother Rakesh Kumar and mother

Present : Harshit Singh, Sessions Judge, Vaishali

Contd.

16.04.2026

Sushila Devi came to rescue him, accused Rohit Kumar, with intent to kill, assaulted Rakesh Kumar on his head with a sharp weapon, causing head injury. All accused persons then jointly assaulted Sushila Devi with lathi-danda and caused injuries. During the occurrence, accused Harendra Sah snatched a gold chain worth Rs. 1,50,000/- from the neck of Sushila Devi. The accused also damaged goods of the shop worth about Rs. 20,000/-. The injured Ravi Kumar, Rakesh Kumar, and Sushila Devi were taken to Bhagwanpur Hospital for treatment and were referred to Sadar Hospital, Hajipur.

The learned counsel for the above named accused petitioners submits that the petitioners are innocent, have not committed any offence and they have falsely been implicated in this case due to family dispute and business rivalry. As a matter of fact, the father of the informant Ravi Kumar is the full brother of petitioner no. 1 Harendra Sah. Thus, both parties are family members and there is long-standing family dispute between them. The informant's shop "Egg, Fish and General Store" is situated just beside the petitioners' shop. Both parties are engaged in the same business of egg and fish, leading to trade rivalry. Due to business competition and for pulling customers, the informant deliberately decreased the rate of fish to cause financial loss to the petitioners. In retaliation and competition, when the petitioners also decreased the rate of fish, the informant became aggressive. On the alleged date of occurrence, the informant started using filthy language and picked up a quarrel with the petitioners over the issue of rates. Only a verbal altercation took place between the parties due to business enmity. No occurrence of assault, robbery, or damage as alleged took place. The informant, by managing the hospital and local police, has maliciously lodged this false case. The entire case has been lodged with mala fide intention only to pressurize the petitioners to remove their nearby shop and to settle the family/business dispute. The allegations of attempt to murder, robbery of gold chain worth Rs. 1,50,000/-, and damage of Rs. 20,000/- are totally false, exaggerated, and concocted. Besides this, the petitioners have no criminal antecedents. Hence, prayer has been made to release the petitioners on anticipatory bail.

Present : Harshit Singh, Sessions Judge, Vaishali

Contd.16.04.2026

Learned Public prosecutor opposed the prayer for anticipatory bail.

Heard the parties and also perused the case record and the case diary. From perusal of the same, it appears that there is allegation against the petitioners is that they had assaulted to the informant and her family member. The case is settled between both the parties and a joint compromise petition is attached with this bail petition. The informant and his family members appeared before the court and supported the factum of compromise with the accused/petitioners.

Therefore, considering the aforesaid facts and circumstances of the case as well as nature of the allegations, the nature of injury, the prayer for anticipatory bail of the petitioners 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 B.N.S. 2023.

(Dictated)

(Harshit Singh)

Sessions Judge, Vaishali

(A.B.P. No.1030/2026)

(Harindar Sah & Others Vs. State of Bihar)

Present : Harshit Singh, Sessions Judge, Vaishali

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