

In the Court of Sessions Judge, Vaishali

B.P. No. 511/2026

Birbahadur Sahni, aged about 52 years S/o Late Nathuni Singh
Resident of village – Balnathpur Kuriya, P.S. - Baligaon, District – Vaishali.
:- Petitioner

Versus

State of Bihar :- O.P.

Appearance :-

Learned counsel for the petitioner :- Sri Nandkishore Jha, Advocate.

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

Present : Harshit Singh,
Sessions Judge, Vaishali.

Date of order : 21th. April 2026

The regular bail petition of the above named accused petitioner has been filed u/s 483 of B.N.S.S., who is in judicial custody since 06.04.2026 in connection with Baligaon P.S. Case No.195/2025 U/ss. 126(2), 115(2), 109, 329(3), 74, 303(2) & 3(5) of B.N.S..

Heard the learned counsel for the accused petitioner and learned Public Prosecutor for the State and perused the record.

It is stated in Para 2 of the bail petition that earlier prayer for anticipatory bail of the petitioner was withdrawn by this court due to his arrest vide A.B.P. No. 74/2026, thereafter no bail application either anticipatory or regular has been filed on behalf of the petitioner 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 Indrajeet Kumar is that on 10.12.2025 at about 7 A.M. when he was at his house alongwith his family membrs, then all the accused persons as named in the F.I.R. including the petitioner who are his Pattidar alongwith 4-5 unknown persons armed with deadly weapons came at his house and started committing Mar-pit. Accused Rahul Kumar assaulted the informant on his head causing head injury. When his Bhabhi Indu Devi and Pinki Devi came to save, they also assaulted them by catching their hair. They also

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assaulted his brother Sanjeet Kumar, nephew Pawan Kumar, brother Rambabu Sahni by bricks. In the alleged occurrence his whole family members sustained injuries. It is further alleged that they snatched gold Jitiya from the neck of his Bhabhi Indu Devi.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The entire allegation is false and concocted. There is no specific allegation against the petitioner. The accused petitioner has no criminal antecedent. There is land dispute between the parties. A Partition Suit between the parties is going on. This case is counter blast of Baligaon P.S. Case No. 198/2025. The accused petitioner is in judicial custody since 06.04.2026. The co-accused persons have been granted anticipatory bail by this court vide A.B.P. No. 74/2026. On these basis, prayer has been made to release the petitioner accused on bail.

Learned Public Prosecutor for the State opposed the prayer for bail of the petitioner.

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 petitioner to assault the informant and his family members. This case is counter blast of Baligaon P.S. Case No. 198/2025. There is land dispute between the parties due to which occurrence was occurred between them. Para 34 of the case diary shows that preventive action has been taken against both the parties. Petitioner has no criminal antecedent as mentioned in Para 3 of the bail petition. The injury report of injured Rambabu Sahni, Rambalak Sahni, Indu Devi, Indrajeet Kumar shows that they have sustained abrasion, chest pain, Pain & swelling and lacerated wound on skull 3/4" x 1/4" x 1/4" respectively, which are simple in nature. The co-accused persons have already

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been granted anticipatory bail by this court vide A.B.P. No. 74/2026. Petitioner is in judicial custody since 06.04.2026.

Considering the aforesaid facts and circumstances of the case as well as nature of allegations and the period of custody, the regular bail petition of the petitioner is allowed. Accordingly, the above named accused petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the learned trial court.

(Dictated)

(Harshit Singh)
Sessions Judge, Vaishali

Date of Order	21.04.2026
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