

IN THE COURT OF SESSIONS JUDGE, CAMP COURT
WEST CHAMPARAN AT BAGAHA

A.B.P. No- 127/2026

Arising out of Chautarwa P.S. Case No. 36/2026

1. **Mohan Sah** S/o- Late Ramavtar Sah, aged about 76 years,
2. **Sanjay Sah** S/o Mohan Sah, aged about 39 years,
Both R/o-Vill- Mauze Tola, Patilar, P.S. Chautarwa, Distt-West
Champaran.
3. **Ankesh Kumar @ Awkesh** S/o- Vinay Sah, aged about 26 years,
4. **Kishan Kumar** S/o- Vinay Sah, aged about 29 years,
Both R/o-Vill- Bankatwa, P.S. Bagaha, Distt-West Champaran.
5. **Rahul Kumar** S/o- Rajan Sah, aged about 21 years, R/o- village-
Basantpur, P.S. Bathwariya, District- West Champaran.

.....**Petitioners**

Versus
State of Bihar

On behalf of the petitioners-----Ld. Counsel, Sri Abhishek Kumar

On behalf of the State ----- Ld. P.P. Sri Prabhu Prasad (Ld. P.P.-I/C)

18-03-2026

1. This anticipatory bail petition has been filed on behalf of above named petitioners, apprehending arrest in connection with **Chautarwa P.S Case No.- 36/2026**, for the offences punishable under section- 190, 191(3), 126(2), 115(2), 76, 109, 303(2), 352, 351(2) of BNS.

Prosecution case

2. The prosecution story in brief is that on 21.01.2026 at around 6:00 P.M. named accused persons along with 5-6 unknown persons came with the intention to kill and started assaulting the informant Vijay Sah and his brother-in-law with iron rod and farsa on head, due to which they fell on the ground and sustained bleeding injury on the head. His wife Anita Devi came to rescue him, Sanjay Sah caught her hair and threw her to the ground due to which she became naked and stole her gold mangalsutra and threw his son Chandan Kumar to the ground and stole 30,000/- rupees from his brother-in-law Umesh Kumar's pocket. All the accused persons stole 10,000/- rupees from his shop.

Submissions of petitioners

3. Learned counsel for the petitioner submitted that this is the first

P.O.- Anamika T., Sessions Judge, West Champaran, at Bagaha, Camp Court.

IN THE COURT OF SESSIONS JUDGE, CAMP COURT
WEST CHAMPARAN AT BAGAHA
A.B.P. No- 127/2026
Arising out of Chautarwa P.S. Case No. 36/2026

Continued
18-03-2026

anticipatory bail petition and other than that earlier no other bail petition has been filed by these petitioners either before this court or any other superior court. No criminal cases against these petitioners is reported. The petitioners are quite innocent and they have not committed offence. The petitioners have been falsely implicated in this case due to dirty village politics and ulterior motive. Nothing has been recovered from the possession of these petitioners. The petitioners come from a very respectable family and what has been alleged by the informant in the F.I.R. against these petitioners, is totally false and fabricated. The informant of this case created a false story and filed a fake case against the accused to damage their reputation. Both the parties are pattidar. There is land dispute between both the parties. The petitioners family member has already filed a counter case i.e. Chautarwa P.S. Case No. 37/2026 on the informant of this case. All the sections areailable save and except section 76, 109 of BNS which are not applicable, but have been added only to make the offence serious and nonailable. There is no specific allegation or any overt act against the petitioners. There is no direct eye witness to the above mentioned occurrence in the entire F.I.R. On these grounds prayed for privilege of anticipatory bail.

Submission of State

4. Learned P.P. has vehemently opposed the prayer of anticipatory bail.

Discussion

5. Heard and perused the case diary, it transpires that petitioners family members have filed a counter case vide Chautarwa P.S. Case No. 37/2026 against the informant of this case. There are no specific allegations and no overt acts have been attributed to each of the petitioners with respect to incident of assault, except Sanjay Sah. As per para no. 27 of the case diary there are no criminal antecedents of the petitioners. The injury reports are extricated at para no. 21 of the case diary. Simple injuries have been found on Vijay Sah, Umesh Sah and Chandan Kumar and no external injuries have been found on Anita Devi. Although there is injury on the scalp but there are no

P.O.- Anamika T., Sessions Judge, West Champaran, at Bagaha, Camp Court.

IN THE COURT OF SESSIONS JUDGE, CAMP COURT
WEST CHAMPARAN AT BAGAHA

A.B.P. No- 127/2026

Arising out of Chautarwa P.S. Case No. 36/2026

Continued
18-03-2026

repeated blows and the doctor who has examined the injured has not found any life threatening injuries on the patient.

6. Having regard to the nature of injuries caused, counter case, no specific overt act ascribed, pending land disputes and clean antecedents, a case for grant of anticipatory bail is made out.

Result

7. Accordingly this anticipatory bail petition filed by above named petitioners is hereby **Allowed**. In the event of arrest or surrender of the petitioners within **30 days** from the date of communication of this order, the petitioners are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned Court in seisin with **following condition:**

- (i) One of the bailors shall be relative of the petitioners.
- (ii) Both the bailors shall provide their contact details- Mobile number, Whatsapp number, e-mail id (if available) **with an undertaking on affidavit** that these contact details shall not be changed till disposal of this case.
- (iii) Petitioners shall appear before the Chautarwa P.S. every fortnight till completion of the investigation and shall co-operate with the investigation.
- (iv) If any of the conditions are violated or facts stated in bail application are found false, the bail bonds of the petitioners shall be cancelled.

This order is dictated and corrected by me.

Anamika
18/03/2026

(Anamika T.)
Sessions Judge
West Champaran, Bagaha Camp Court
18-03-2026

Date of Order	18-03-2026
Date of Reserving Order	18-03-2026
Uploading Date	...03-2026
Upoaded by	Suraj Singh Yadav, Stenographer, DJ Court