

IN THE COURT OF SESSIONS JUDGE, CAMP COURT WEST CHAMPARAN AT BAGAHA
Anticipatory Bail Petition No. : 136/2026
(Arising out of Pathkhauli P.S. Case No. 30/2026)

Tunna Kumar @ Tunni Bin and two others ----- **Petitioners**
Versus
State of Bihar ----- **Opposite Party**

Learned Counsel for the Petitioners - Sri Kamran Ajij (Ld. Advocate)
Learned Counsel for the State - Sri Prabhu Prasad (Ld. A.P.P.-I/C)

04.04.2026 1. This anticipatory bail application is preferred by petitioners namely (i) **Tunna Kumar @ Tunni Bin** S/o-Vinod Bin, aged about 24 years, R/o-Narwal Barwal, P.S. Pathkhauli, District-West Champaran, (ii) **Vinod Bin** S/o-Harihar Bin, aged about 55 years and (iii) **Rajesh Bin** S/o-Vinod Bin, Both R/o-Village-Juda Safrabad P.S. Bhaironanj, Distt-West Champaran, apprehending arrest in connection with **Pathkhauli P.S. Case No. 30/2026**, for the offences punishable under Sections-126(2), 115(2), 118(1), 303(2), 109(1), 352, 3(5) of B.N.S.

PROSECUTION CASE

2. The prosecution case in brief is that on 02-02-2026 around 06:00 P.M. informant's husband namely Saral Bin was carrying soil by tractor and trolley, but due to traffic problem he left his tractor temporarily. In the meantime Omprakash Yadav came and got the tractor backed and in this process trolley hit wall of house of Ramchandra Bin. It is further stated that when her husband returned, Ramchandra started abusing him. When her husband forbade, all named accused persons along with 4-5 unknown persons armed with Lathi and iron rod came and started assaulting him. When the informant tried to rescue her husband, she was also assaulted. Tunni Bin with intention to kill assaulted with iron rod on her head. Vinod Bin tore her Blouse and assaulted with iron rod over her left hand. When her Bhaisur Krishna Bin came to rescue, Rajesh Bin assaulted him with Lathi. It is also alleged that during course of assault Tunni

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Bin snatched her gold Mangalsutra worth Rs. 10,000/-, Vinod Bin snatched her nose pin worth Rs. 3000 and Rajesh Bin snatched cash of Rs. 20,000/- from her husband.

SUBMISSION OF PETITIONERS

3. Learned counsel for the petitioners has submitted that this is first bail application on behalf of these petitioners. No anticipatory or regular bail application has been filed earlier either before this Ld. Court or before Hon'ble High Court, Patna. The petitioners have no criminal antecedents. It is further submitted that petitioners are innocent, they have committed no offence and have falsely been implicated in this case due to counter case of petitioner Tunna Kumar. As a matter of fact marriage ceremony of Tunna Kumer was to be held on 25-02-2026 and for preparation of marriage ceremony he was doing some work in his house. In the meantime informant's husband came there by tractor and broke his boundary wall and on protest, informant's side came there and brutally assaulted Vinod Bin and Rajesh Bin. Thereafter both the injured went to police station and filed a case and to save neck from the said case of Tunna Kumar, this false case has been lodged. All the alleged sections are bailable in nature except sections 303(2) and 109(1) of B.N.S. which are super addition and not made out against the petitioners. On these grounds prayed for anticipatory bail.

SUBMISSIONS OF STATE

4. Ld. PP in-charge vehemently opposed the prayer for bail.

DISCUSSIONS

5. Heard, perused the record. Petitioner No. 1 is said to have

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assaulted the informant of this case by means of iron rod on the head and petitioner No. 2 is said to have torn her clothes and also assaulted her by means of iron rod. Petitioner No. 3 is said to have attacked Krishna Bin and he became unconscious. The injury report reports are extracted at para No. 32 of the case diary where two lacerated wounds along with pain on the person of Chhati Devi, an abrasion and contusion on the person of Krishna Bin and one contusion on shoulder has been found on person of Saral Bin has been found. All these injuries are opined to be simple in nature, caused by hard and blunt object. It is significant to mention that counter-case Pathkhauli P.S. Case No. 31/2026 has been lodged by petitioner No. 1. The independent witnesses whose statements are recorded at para No. 17 to 20 have simply stated that there was altercation between both the parties and they do not have any idea with regard to theft of jewellery and cash. Petitioner No. 1 and 2 were also injured in the incident.

6. Having regard to the nature of injuries caused, cross case, statement of independent witnesses and clean antecedents, in considered view of this Court, a case for grant of anticipatory bail is made out.

7. Accordingly, this anticipatory bail petition is hereby **Allowed**. In the event of arrest or surrender of the petitioners within **15 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:**

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- (i) One of the bailors shall be relative of the petitioners.
- (ii) Petitioners shall remain physically present on each and every date before Ld. Court *in seisin* till framing of charge and shall not be physically absent on two consecutive dates till disposal of this case.
- (iii) Petitioners shall seek no adjournment, but for sufficient reasons.
- (iv) Petitioners as well as bailors of the petitioners shall submit their complete address, mobile number/whatsapp number, e-mail-address (if available) with undertaking on affidavit that they would not change the same without prior permission of the Court till disposal of the case.
- (v) 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
04/04/26
(Anamika T.)
Sessions Judge
West Champaran, Bagaha Camp Court
04.04.2026

Date of Order	04-04-2026
Date of Reserving Order	04-04-2026
Uploading Date	08-04-2026
Uploaded by	Ratnesh Tiwari, Stenographer, DJ Court