

In the court of District & Addl. Sessions Judge 1st, Bagaha, West Champaran.
Anticipatory Bail Petition No.-138/2026
Registration No.-138/2026
(Arising out of Laukariya P.S. Case No.-20/2026)

1.Bhola Ram, S/o.-Late Babulal Ram;

2.Brijesh Ram, S/o.-Bigu Ram;

Both R/o. Village-Gobarahiya, P.S.-Laukariya, Distt.-West Champaran.....**Petitioners**

vs

State of Bihar.....Opposite Party

16.03.2026 Petitioners 1.Bhola Ram and 2.Brijesh Ram apprehends his arrest in connection with Laukariya P.S. Case No.20/2026, u/s-190,191(2),126(2),115(2),109,121(2),121(1),132,324(2),74,351(2),352 BNS pending in the learned Court of Sri Tarique Shamim, J.M. 1st Class, Bagaha and have filed the present anticipatory bail petition which has been pressed today. Copy of the same has been served to the learned P.P. In-charge for the State. Trial court record is available on record.

Sri Abhishek Kumar, learned counsel on behalf of the petitioners and Sri Shamsul Hoda, learned I/c. P.P. In-charge for State are present before the Court.

The prosecution case in brief as narrated in the written application of informant namely PTC Rakesh Kumar Rana is that on 11.01.26 at about 07:05 P.M. he was on duty with 733 Pramita Kumari, Government Driver on Dial 112. In the meantime, at about 08:10 P.M., he got information over the phone from the S.H.O. that the informant of Dial 112 case reference number 5541319 had informed him on the official number that 112 team has not yet arrived and the S.H.O. directed the informant to leave immediately for Dial 112 case reference number 5541319 after that he arrived at village Gobarahiya for immediate action in the said case reference number and after convincing both the parties told them to come to the police station and submit an application for further action. Thereafter, he left village Gobarahiya. Again at about 09:05 P.M., the S.H.O. informed the informant that both the parties again started fighting by means of lathi and rods, so he was again instructed to go to village Gobarahiya along with evening patrol and pacify the matter. After some time he reached village Gobarahiya with S.I. Suraj Kumar Sharma and along with other police personnel and he was explaining to both the parties in sufficient light in front of the house of Shambhu Ram. In the meantime, Nishu Devi came in anger and assaulted informant by means of lathi, which caused a serious injury on his head. Before he could recover Triloki Chaudhary with his hand pressed his neck and thrashed him on the ground due to which his neck got injured. Seeing this, the accompanying officer, S.I. Suraj Kumar Sharma, came to his rescue with other police personnel then again aiming informant's head with intention to kill Shambhu Ram assaulted informant by means of lathi due to which the back portion of his head got swollen. It has been further alleged that named accused persons in F.I.R. along with 5-6 unknown persons assaulted informant and S.I. Suraj Kumar Sharma and also assaulted accompanying police personnel by means of lathi and injured them. When 733 Pramita Kumari came to informant's rescue, Baldev Ram by tearing her uniform started pulling her and caught hold her and thrashed her. Kedar Ram torn the uniform of BMP 808 Anjani Kumar Singh's and also abused him. Brijesh Ram started pulling the cord of pistol of S.I. Suraj Kumar Sharma and also abused him. When police personnel tried to escape somehow then Bhola Ram assaulted the constable Sameer, driver of Dial 112 by means of back of the lathi, injuring the lower part of the ear. It has been further alleged that accused persons damaged the rear part of the police vehicle. On the basis of application of the informant, present case was registered.

It has been submitted on behalf of the petitioners that they are quite innocent and have committed no offence as alleged against them and have been falsely implicated in this case. Earlier no other bail application on behalf of the petitioners have been filed either before this court or any superior court. Petitioners have got no criminal antecedent. It has been submitted that there is no eye witness to the alleged occurrence. It has been further submitted that

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16.03.2026 allegation of assault against the petitioners are not specific. It has been further submitted that petitioners undertakes to co-operate during the investigation. It has been further submitted that Sections 109,132,74 BNS is super addition to make the case serious and non-bailable in nature but it is not applicable against the petitioners. Hence, petitioners may kindly be granted anticipatory bail.

On the other hand learned I/c. P.P. In-charge for State vehemently opposed the prayer for bail of the petitioners and submitted that petitioners along with other co-accused persons have assaulted the on duty police personnel causing injury to them. In view of above, they do not deserve privilege of anticipatory bail.

Heard the parties and perused the F.I.R., case diary and trial court record. Allegedly petitioners along with other co-accused persons have assaulted the police personnel causing injury to them. There is no injury report given in case diary to corroborate the injuries. As per bail petition, petitioners have got no criminal antecedent.

Considering the facts and circumstances of the case and material available on record as discussed above, petitioners in event of their arrest or surrender before the learned Court below within a period of one month from the date of receipt/production of a copy of this order, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Court below subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Dictated & Corrected)

(Ravi Ranjan)
District & Addl. Sessions Judge 1st

Date of order	16.03.2026
Date of Reserving Order	16.03.2026
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