

IN THE COURT OF SESSIONS JUDGE, CAMP COURT
WEST CHAMPARAN AT BAGAHA
A.B.P. No- 145/2026
Arising out of Chautarwa P.S. Case No. 79/2026

1. **Anup Kumar Pandey @ Tunnu Pandey** S/o- Dr. Harishankar Pandey, aged about 34 years, R/o-Vill- Sisawa Basantpur ward no. 06, P.S. Chautarwa, Distt- West Champaran.

.....Petitioner

Versus
State of Bihar

On behalf of the petitioner----Ld. Counsel, Sri Upadhyay Sunil Kumar
On behalf of the State ----- Ld. P.P. Sri Prabhu Prasad (Ld. P.P.-I/C)
On behalf of the informant----Ld. Counsel, Sri Indu Bhushan Pandey

02-05-2026

1. This anticipatory bail petition has been filed on behalf of above named petitioner, apprehending arrest in connection with **Chautarwa P.S Case No.- 79/2026**, for the offences punishable under section- 126(2), 115(2), 109, 118(1), 352 BNS.

Prosecution case

2. The prosecution case in brief is that on 16.02.2026 around 14:30 informant Rajan Kumar Pandey was going from his house to Englishiya Petrol Pump to fill petrol in his motorcycle, near Barwa village, on the bypass of road. Petitioner hit his motorcycle from behind with his motorcycle over a previous dispute, causing to disbalance. When he tried to park his motorcycle, petitioner pulled out a knife and stabbed him in the stomach. When he tried to stop the blow with his left hand, petitioner gave blow on neck of informant and sustained injury on right arm, due to which he fell down. On information family members of the informant came and brought him to P.H.C. Lauriya for treatment where doctor referred him to G.M.C.H. for better treatment.

Submissions of petitioner

3. Learned counsel for the petitioner submitted that this is first anticipatory bail petition and no other anticipatory bail application has been filed earlier on behalf of this petitioner either before this court or before Hon'ble High Court, Patna. The petitioner has no criminal antecedent. The petitioner is quite innocent and has committed no offence. The petitioner is falsely implicated in this case due to ulterior motive and dirty village politics. The

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

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prosecution story is false, baseless and concocted by prosecution party. The offences are bailable and allegation with respect to section 109 of BNS is omnibus. Both the parties are pattaidar. 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. Injury report issued by doctor Surya Prakash shows that the following injuries were caused:-

(i) **Incised wound of size 15x3x1 cm over the left hand palm.**

(ii) **Incised wound over right elbow of size 20x4x0.5 cm.**

(iii) **10-12 small incised wound of size 1x0.5x0.5 cm. Over right arm.**

(iv) **12-13 incised wound of approx. 1x0.5x0.5 cm over left palm.**

The doctor has opined that the injuries are caused by sharp cut weapon. The learned counsel for the petitioner vehemently contended that the injuries are simple in nature and hence section 109 of BNS is not attracted. He also stated that compromise petition was filed earlier along with the A.B.P. The injured informant appeared before the court and produced photographs of the injuries which clearly show that deep cut wounds were caused. The allegation is that while the injured was warding off blows, the knife struck the arms and palm of Rajan Kumar Pandey. Further he has resiled, from the statement made in compromise petition and stated that he wanted to contest the matter.

6. Having regard to the nature of injuries caused, specific allegation corroborated by the medical report and stage of investigation, this case is not fit case for grant of anticipatory bail.

Result

7. Accordingly this anticipatory bail petition filed by above named

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Continued petitioner is hereby **Rejected**.

02-05-2026

This order is dictated and corrected by me.

Anamika
2/5/26

(Anamika T.)
Sessions Judge

West Champaran, Bagaha Camp Court
02-05-2026

Date of Order	02-05-2026
Date of Reserving Order	02-05-2026
Uploading Date	...05-2026
Upoaded by	Suraj Singh Yadav, Stenographer, DJ Court