

In the court of District & Addl. Sessions Judge 1st, Bagaha, West Champaran.

Anticipatory Bail Petition No.-149/2026

Registration No.-149/2026

(Arising out of Pathkhauli P.S. Case No.-195/2025)

1. Manohar Kumar, aged about 26 years, s/o.-Omprakash Sah;

2. Omprakash Sah @ Omprakash Prasad, aged about 51 years, s/o.-Ramchandra Sah;

3. Rambabu Sah, aged about 49 years, s/o.-Ramchandra Sah;

All r/o. village-Serahwa, P.S.-Patkhauli, District-West Champaran.....Petitioners

vs

State of Bihar.....Opposite Party

27.04.2026 Petitioners 1.Manohar Kumar, 2.Omprakash Sah @ Omprakash Prasad and 3.Rambabu Sah apprehend their arrest in connection with Pathkhauli P.S. Case No.195/2025, u/s-126(2),115(2),118(1),109(1),352,303(2),3(5) BNS pending in the learned Court of the A.C.J.M.-I, 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. Case diary is available on record.

Sri Ashish Kumar, learned counsel on behalf of the petitioners and Sri Prabhu Prasad, learned 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 Naresh Ram is that on 15.08.2025 at about 05:30 a.m, his son Ravikesh Prabhat was going towards river at Sherwa in the meantime all the accused persons named in FIR surrounded him and threatened to kill him. Informant's son escaped and came home and stated about the incident to the informant. Thereafter, informant and his wife went to the house of Manohar Kumar and asked about the incident on which all the accused persons surrounded them and Manohar Kumar assaulted informant by means of Bhala causing injury on his thigh. Om Prakash Sah assaulted informant by means of iron rod causing head injury due to which he fell down on the ground. Further Om Prakash Sah assaulted informant's wife by means of Bhala causing injury on her hand. When Sunil Ram came to rescue informant and his wife, Rajkumar Sah assaulted him by means of lathi causing head injury. It has been further stated that Manohar Kumar took out Mangalsutra of informant's wife in the course of assault. After the interference of local people, informant and his family members were rescued and sent to Sub-divisional Hospital Bagaha for treatment. On the basis of application of informant, present case was registered.

It has been submitted on behalf of the petitioners that they are quite innocent and has committed no offence as alleged against them and have been falsely implicated in this case. Earlier anticipatory bail application vide ABP No.645/2025 filed on behalf of the petitioners was rejected on 17.09.2025 by the learned Court of the District & Addl. Sessions Judge -III Bagaha thereafter Cri. Misc. No.2015/2026 was filed before the Hon'ble High Court at Patna which was also rejected on 31.01.2026. 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 case and counter case between the parties. It has been further submitted that all sections are bailable except sections

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27.04.2026 118(1),109(1) and 303(2) BNS. Except the injury of the informant, other injured persons injury is opined as simple. It has been further submitted that good sense between informant and petitioners have prevailed and a certified copy of joint compromise petition is also filed. Hence, they may kindly be allowed bail. Offences leveled against the petitioners are not applicable. Hence, he may kindly be granted privilege of anticipatory bail.

Learned P.P. In-charge for State has conceded that inter-se dispute between the parties has been amicably resolved.

Heard the parties and perused the F.I.R. and case diary. From the perusal of the same, it transpires that petitioners along with other co-accused persons have allegedly assaulted informant and his family members causing injury to them. Except the injury of the informant, other injured persons injury is opined as simple, caused by hard and blunt object. There is case and counter case between the parties. Dispute between the parties has been amicably resolved and a certified copy of joint compromise petition has also been filed. 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, are 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. **with further condition that one of the bailor shall be close relative of the petitioners.**

(Dictated & Corrected)

(Manish Dwivedi)
District & Addl. Sessions Judge 1st

Date of order	27.04.2026
Date of Reserving Order	27.04.2026
Uploading Date	02.05.2026
Uploaded By	Manish Roy, Stenographer, DASJ-I