

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

Bail Petition No.316/2026

Registration No.-316/2026

(Arising out of Dhanaha P.S. Case No.-10/2026)

Gopi Dom, S/o.-Late Jitendra Dom, aged about 32 years, R/o. Village-Badgaon Chhotki Patti, P.S.-Bagaha, Distt.-West Champaran.....Petitioner

vs

State of Bihar.....Opposite Party

17.03.2026 A bail application earlier filed on behalf of accused petitioner namely Gopi Dom under judicial custody since 13.01.2026 in connection with Dhanaha P.S. Case No.10/2026, u/s-126(2),115(2),109(1),118(1),303(2),3(5) BNS pending in the learned Court of Sri Abhishek Kumar Singh, J.M. 1st Class, Bagaha has been pressed today. Copy of the same has been served to the learned P.P. In-charge for State. Trial court record is available on record.

Sri Satyendra Kumar Tiwari, learned counsel on behalf of the petitioner 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 Nasibun Nesha is that on 11.01.2026 at about 6:00 pm, she had gone to Bansi market to buy vegetables. In the meantime, in front of the block, with the intention of killing named accused persons in F.I.R. stabbed her by means of knife due to which she sustained two cut injuries on her head. It has been further alleged that during the assault, the accused persons took away Rs.2,000/- and a nose ring. When informant raised an alarm, people from the nearby came and saved her life.. On the basis of application of the informant, present case was registered.

It has been submitted on behalf of the petitioners that he is quite innocent and has committed no offence as alleged against him and has been falsely implicated in this case. Earlier no other bail application on behalf of the petitioner has been filed either before this court or any superior court. Petitioner has got no criminal antecedent. It has been further submitted that Sections 126(2) and 115(2) BNS is bailable in nature and Sections 118(1),109(1) and 303(2) BNS is not applicable against the petitioner. It has been further submitted that Sections 118(1),109(1) and 303(2) BNS have been added to make the offence non-bailable. It has been further submitted that allegation of assault against the petitioner is not specific. As per injury report of the informant, the nature of injury is simple. Petitioner is under judicial custody since 13.01.2026. Hence, petitioner may kindly be granted bail.

On the other hand learned I/c. P.P. In-charge for State vehemently opposed the prayer for bail of the petitioner and submitted that this petitioner along with other co-accused stabbed the informant by means of knife causing to two cut injuries on her head. Witnesses in case diary para No.14,34 and 37 have also supported the prosecution. In view of above, petitioner does not deserve bail.

Heard the parties and perused the F.I.R., case diary and injury report. There is no specific allegation against this petitioner. As per injury report of the informant, the nature of injury is opined as simple caused by hard and blunt object. As per para No.55 of case diary, petitioner has got no criminal antecedent. Petitioner is under judicial custody since 13.01.2026.

Considering the aforesaid facts and circumstances of the case and material available on record as discussed above coupled with custody tenure, petitioner 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.

(Dictated & Corrected)

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

Date of order	17.03.2026
Date of Reserving Order	17.03.2026
Uploading Date	17.03.2026
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