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

Bail Petition No. 353/2026

Registration No.-353/2026

(Arising out of Ramnagar P.S.Case No. -660/2025)

1.Aftab Alam, s/o-Nezamuddin Sah, r/o village-Sohasa Phulwariya, P.S-Ramnagar, District-West Champaran.....Petitioner

vs

State of Bihar.....Opposite Party

10.04.2026 A bail application earlier filed on behalf of accused petitioner Aftab Alam under judicial custody since 18.02.2026 in connection with Ramnagar P.S.Case No.660/2025,u/s-126(2),115(2),109(1),303(2),324(4),351(2),334(1), 329(4),3(5) BNS pending in the learned Court of the SDJM Bagaha has been pressed today. Copy of the same has been served to the learned P.P In-charge for state.

Sri Abhishek Kumar, learned counsel on behalf of the petitioner and Sri Prabhu Prasad, learned P.P In-charge for state assisted by Sri R.N.Tiwari, learned counsel on behalf of the informant are present before the Court.

The prosecution case in brief as narrated in the written application of informant namely Panna Lal Prasad is that on 03.11.2025 at about 04:00 a.m, he was sleeping with his family members in the meantime heard the sound of *khat-pat* on the ground floor. Thereafter informant woke up and saw some people who were cutting the gate of his godown by gas cutter. When informant came on the ground floor, he saw all the accused persons named in FIR alongwith 20-25 unknown persons having lathi-danda and farsa who cut the door of his godown and looted goods of worth Rs.10 lac. On objection raised by the informant, Khalid Anawar assaulted Ajay Kumar Gupta i.e informant's son by means of farsa due to which blood oozed and he fell down on the ground and became unconscious. Thereafter, all the accused persons further assaulted the informant and his son. It has been stated that Sonu Shukla took out gold chain of Ajay Kumar Gupta when he was in unconscious condition. Informant and his son were rescued by the local people. It has been also stated that Gaurav Pandey threatened to vacate the house and shop other wise informant and his son would be killed. On the basis of application of informant, present case was registered.

It has been submitted on behalf of the petitioner that he is quite innocent and has committed no offence as alleged against him and has been falsely implicated in this case. Earlier anticipatory bail application filed on behalf of the petitioner vide ABP No.114/2026 was withdrawn. No other bail application on behalf of the petitioner has been filed either before this court or any superior court. Petitioner is also named in 1.Ramnagar P.S.Case No.43/2023 2.Ramnagar P.S.Case No.95/2023 and 3.Ramnagar P.S.Case No.110/2023. It has been submitted that petitioner was not present at the place of occurrence when alleged incident took place. It has been further submitted that there is dispute of property

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between the informant and co-accused Khalid Anwar. The informant in order to exert pressure upon the rightful owner to prevent them getting their possession, lodged this false case. Ramnagar P.S.Case No.670/2025 has been filed on behalf of the co-accused Khalid Anwar against the informant and others. There is no specific allegation of assault against the petitioner. Injury report of Ajay Gupta has been opined to be simple. Hence, he may kindly be allowed bail.

On the other hand learned P.P In-charge for state assisted by learned counsel on behalf of the informant vehemently opposed the prayer for bail of the petitioner and submitted that petitioner with other co-accused persons cut the door of godown of the informant by gas cutter and took out goods of Rs.10 lac and also assaulted informant and his son causing injuries to them. Photographs of the accused persons purportedly having their presence at the place of occurrence has also been referred. In view of above, petitioner does not deserve bail.

Heard the parties and perused the case diary. There is no specific allegation of assault against the petitioner. Injury of injured Ajay Gupta has been opined to be simple caused by hard and blunt object. There also appears to be property dispute between the parties. Co-accused Saifullah Ansari has already been granted bail by BP No.109/2026 by the predecessor of this Court. Petitioner is under jail custody since 18.02.2026.

Considering the aforesaid facts and circumstances of the case and material available on record as discussed above, petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below subject to the condition that one of the bailors shall be close relative of the petitioner.

(Dictated & Corrected)

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

Date of order	10.04.2026
Date of Reserving order	10.04.2026
Uploading date	18.04.2026
Uploaded by	Kamlesh Kumar(O.C, DASJ-I)