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

R.No- 2356  
ABP- 196/26  
① Sheet  
D.A.S. - II  
17/04/26

**Anticipatory Bail Petition No. 196/2026**  
**Registration No.-196 /2026**  
**(Arising out of Bathwariya P.S.Case No. -45/2025)**

1. Dipu Dubey alias Mritunjay Dubey  
R/o village. Dilrampur Makari, P.s. Bathwariya. Distt. West Champaran.

2. Umesh Pandey

3. Rajeshwar Pandey

4. Bablu Pandey alias Shaishav Kumar Priyankar

5. Khalil Miya

All R/o village- Manpur Mathiya P.s. Bathwariya, Dist. West  
Champaran.....Petitioners

vs

State of Bihar.....Opposite Party

**13.04.2026** Petitioners 1. Dipu Dubey alias Mritunjay Dubey 2. umesh Pandey 3. Rajeshwar Pandey 4. Bablu Pandey alias Shaishav Kumar Priyankar 5. Khalil Miya apprehend their arrest in connection with Bathwariya PS Case No. 45/25 u/s 126(2), 115(2), 351(2), 74, 3(5) of the BNS pending in the learned court of the ACJM II Bagaha and have filed the present petition which has been pressed today. Copy of the same has already been supplied to the learned PP In-charge for state.

Sri Upadhayay Sunil Kumar, learned counsel for the petitioners and learned P.P. In-charge for the state assisted by Kamal akhtar learned counsel for the informant is present before the Court.

The case of the prosecution in brief is that Tunni Devi wife of Ravishankar Pandey of village Manpur, Mathiya, P.s. Bathwariya Dist. West. Champaran reported to the O/C bathwariya Ps. Through written petition stating therein that the accused petitioners were ploughing the field appertaining to khata no. 543, plot no. 152, area 12 katha 7 dhur and other land, area 3 Bigha 4 dhur through four tractors on dated 13.07.25 at about 9.00 AM and after received information the informant reached at the field with her daughter Sonam Kumar and Priti Kumari and she was called dialed 112 As per an FIR when the informant reached at the field the renounced criminal 1 harnam yadav, 2 Hoshila yadav and petitioners were came there from cane field. The co-accused Hoshila Yadav tagged the towel to the naked of the informant with intention to kill her and accused Rajeshwar Pandey took away one golden Mangalsutra valued Rs. 50,000/- from the neck of the informant. According to the informant, accused harnam yadav made threatening to kill then and they were brutally assaulted to the informant. In the meantime the officer in charge of bathwariya came there and the injured persons were returned their house and injured persons went to hospital for treatment. On the basis of the written petitioner the present an FIR has been instituted U/s 126(2), 115(2), 109, 76, 303(2) 308(3), 3(5) BNS and investigation was going.

It is submitted on behalf of the petitioners that they are quite innocent and has committed no offence as alleged against them by the prosecution. This bail petition is first bail petition and no other bail petition regular or anticipatory bail has ever been filed earlier than this on behalf of the petitioners either before the court of this court or before any other court.

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13.04.2026

Two criminal case have been instituted against the petitioner namely Bablu Pandey alias Shaishav Kumar Priyankar bearing 1. chautarwa (Bathwariya) P.s. case no. 21/2007 u/s. 379 IPC and 2. bagaha Mahila PS case no. 11/20 U/s 341, 323, 504/34 IPC and one criminal case has been instituted against the petitioner 1. Rajeshwar Pandey, 2. Khalil Miya and 3 . umesh Pandey bearing bagaha Mahila Ps case no. 11/20 u/s 341, 323, 504/34 IPC and no criminal antecedent of the petitioner 1. Dipu Dubey alias Mritunjay Dubey. As the matter of fact that the lands details mentioned in the written petition are purchased land through registered sale deed since 70 years ago in the name of Shanti Devi, she is mother of one of the petitioners namely Bablu Pandey and due to made pressure upon the family members of bablu Pandey, this false case has been instituted with false and concocted story. There is land dispute is going on in between the parties and one title suit bearing 275/22 has been filed by husband of the informant namely Ravishankar Pandey which has been pending before the court of learned sub-Judge II Bagaha West Champaran. Hence, the petitioners may kindly be granted anticipatory bail.

On the other hand learned Addl. P.P vehemently opposed the prayer of anticipatory bail of the petitioners and submitted that petitioners have committed forgery under a conspiracy and they do not deserve privilege of anticipatory bail.

From the perusal of the FIR and the LCR, it appears that the petitioners are accused of forcible cultivation of land and assault. There is a case and counter-case between the parties. Cognizance of the case has been taken by the A.C.J.M. II on 01.12.2025 in respect of all the petitioners. In para no. 18,19, and 20 of the case diary, the injuries sustained by the injured persons are of a simple nature, caused by a hard and blunt object. As per para 25 of the case diary, Petitioner no. 4 has 2 criminal antecedents, and Petitioners No. 2, 3 and 5 each have one criminal antecedent. Petitioner No. 1 has no criminal antecedents.

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/-(Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below subject to the conditions as laid down u/s-438(2) Cr.P.C. It is further directed that the petitioners remain physically present until the framing of charges.

(Dictated & Corrected)



I/C District & Addl. Sessions Judge IV II