

In the Court of Principal District & Sessions Judge, Samastipur

A.B.P.No. 2143 of 2026

Arising out of Angarghat P.S.Case No.63 of 2026

Boby Sah son of Ram Naresh Sah @ Naresh Sah, Resident of
Village Harpur Rewari, P.S. Angarghat, District Samastipur.

-----Petitioner

Vrs.

The State of Bihar -----O.P.

Presiding Officer: Sri Samir Kumar, Sessions Judge, Samastipur.

04. 11.08.2026

Heard Sri Saroj Kumar Pandey-learned counsel for
the petitioner and also heard Sri Shiv Kumar Prasad-learned P.P
for the State on the anticipatory bail petition of
accused/petitioner **named above**, who apprehends his arrest in
connection with Angarghat P.S. Case No.63 of 2026 registered
under Sections 126(2), 115(2), 109(1), 351(2), 74, 112(2), 132, 3(5)
of the B.N.S.

As per F.I.R, due to partition of land an incident of
assault took place in between accused persons and one Shivam
Kumar and in course of it petitioner alongwith other co-accused
persons assaulted to Shivam Kumar thereafter, Shivam Kumar

informed to police, who came at his house at about 11:45 P.M and seeing the police party, the accused persons named in the F.I.R including the petitioner and 10-15 unknown persons came there and started abusing with them and when the informant asked about the reason of assault to Shivam Kumar from accused persons thereafter, co-accused Suraj Soni, Alok Soni and Baby Devi pushed the informant, as a result of which, informant fell down on the road and in course of it co-accused Baby Devi and Alok Soni caught the collar of informant's uniform and with an intention to kill pressed it from both sides, as a result of which the button of his uniform has broken. Further allegation is that co-accused Suraj Soni tried to take away government pistol from waist of informant, but he could not succeed thereafter all the accused persons including petitioner assaulted the informant and his other accomplice with fist and slaps and co-accused Suraj Soni with an intention to kill the informant attacked with bamboo stick on his head, which hit on his left shoulder, causing injury and when ladies constable Gayatri Kumari came for his rescue, she too was assaulted by co-accused Rajkumari Devi and **petitioner Boby Sah** and further Boby Sah started misbehaving with ladies constable Gayatri Kumari.

The Ld. Counsel appearing on behalf of the petitioner submitted that petitioner is an innocent person and he has falsely been implicated in this case. Further submitted that all the sections are bailable in nature except Sections 74,109(1) and 132 of the B.N.S, which are not attracted against the petitioner. Ld. Counsel also submitted that this is a case of simple assault and doctor has found only abrasion on the person of injured which is simple in nature. Ld. Counsel further submitted that co-accused Baby Devi has been granted anticipatory bail by this court and co-accused Suraj Soni and Alok Soni have been granted regular bail by this court and the case of the petitioner more or less stands on same footing. Ld. Counsel lastly submitted that petitioner has got no criminal antecedent so, he may be given the benefit of anticipatory bail.

The Ld. P.P has vehemently opposed the prayer of anticipatory bail.

On perusal of the record, it appears that F.I.R has been registered under Sections 126(2), 115(2), 109(1), 351(2),74,112(2),132,3(5) of the B.N.S. Allegation against the petitioner is that he alongwith co-accused Raj Kumari Devi used criminal force against lady constable Gayatri Kumari and

petitioner also misbehaved with her. It appears that allegation of assault is omnibus in nature and further from perusal of the Case Diary Para-56, it reveals that the doctor has found the injury of injured simple in nature. It further appears that petitioner has claimed clean antecedent.

Considering the aforementioned facts and circumstances of the case, let the anticipatory bail petition of petitioner named above be allowed and it is directed that in the event of his arrest or surrender before the court below he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/-with two sureties of the like amount each to the satisfaction of the learned court below.(Dictated)

Sessions Judge

Date of Judgment / Order	11.08.2026
Date of Reserving Judgment / Order	11.08.2026
Uploading Date	12.08.2026
Uploaded by	Ashish Kumar