

Present: Raj Narayan Nigam
Dist. & Addl. Sessions Judge-1 cum Spl. Judge of NDPS Act & P.O of Children Court cum present Assignment,
Begusarai
BA No. 175/2026
Ayush Kumar @ Aryan Samrat Vrs. State of Bihar
Date of Order: 10.03.2026

**In the Court of Dist. & Addl. Sessions Judge-1 cum Spl. Judge of NDPS
Act & P.O of Children Court cum present Assignment, Begusarai**

B.A. No. 175 of 2026

Arising out of Birpur P.S. Case No. 178/2025
Ayush Kumar @ Aryan Samrat Vrs. State of Bihar

10.03.2026

Heard the learned counsel for the petitioner namely **Ayush Kumar @ Aryan Samrat** aged about 21 years s/o-Sanjeev Sah R/o-village-Bhagwanpur, P.S. Bhagwanpur, Dist.-Begusarai who is in custody since 09.01.2026 and also heard learned Addl. P.P. for the State on the bail petition dated 02.02.2026 in connection with Birpur P.S. Case No. 178 of 2025 u/s-126(2), 115(2), 109(1), 329(4), 308(3), 303(2), 3(5) of BNS pending in the Court of Shri Alok Kumar Id. JM-1st Class, Begusarai.

The prosecution story in brief is that the informant Rahul Kumar gave a written application before the Birpur, police station, Begsuarai alleging therein that on 24.08.2025 at about 09:00 p.m Mital Kumar, Krishna Kumar, Pravin Kumar, Aryan Samrat (petitioner), Dharamveer Kumar, Rupesh Kumar, Mankesh Kumar along with unknown persons armed with country-made pistol entered into the house of informant and started abusing and also assaulted upon his head with butt of pistol due to which his head sustained injury. It is also alleged that they demanded Rs.5 lakh and demanded the money to be spent by Birpur police station in getting bail for two people arrested for liquer trade. When informant refused, they dragged him in an injured state with the intention of killing him. On hearing of hull, they took his mobile by fleeing away. So this case.

The learned counsel on behalf of the petitioner has submitted that no B.A or A.B.A. moved before this Court or before the Hon'ble High Court. There is 04 criminal antecedent against the petitioner. The petitioner is quite innocent and he has no committed offence. The petitioner has been falsely implicated in this case and there is no specific allegation of assaulting against him. The petitioner was not present at the time of occurrence. The injuries are simple in nature, so all sections areailable in nature except 109, 303(2) of BNS which are added for making the offence serious. The petitioner is in judicial custody since 09.01.2026. The other co-accused has already been granted bail by this Court. So considering these facts the petitioner may be enlarged on bail.

On the other hand, the Addl Spl. PP for State has vehemently opposed the prayer of bail to this accused/pettitioner.

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Having heard both the parties and perused the case record as well as case diary. On perusal of record, it appears that the petitioner is named accused in Birpur P.S. Case No. 178 of 2025 u/s-126(2), 115(2), 109(1), 329(4), 308(3), 303(2), 3(5) of BNS. On perusal of case diary, it transpires that injury report mentioned in para no. 40 of case diary which is found to be simple in nature, one lacerated wound size- 1" x 2" approx parietal region of skull. It further appears that the allegation of assault against the petitioner is general and omnibus and no specific overt act has been attributed to him. The other co-accused persons have already been granted bail by this Court and the case of the petitioner stands on similar footing. The petitioner is in judicial custody since 09.01.2026.

Considering the above facts and circumstances and also as per allegation as well as considering the period of custody, I am inclined to enlarge the petitioner on bail on furnishing bail bonds of worth Rs.10,000/- with two surities of like amount each to the satisfaction of the learned trial Court on following condition:-

- (1) One of the bailors should be close relative of the petitioner.
- (2) The petitioner shall file undertaking to maintain law & peace and not to indulged in offence of similar in nature.

(Dictated & Corrected)
Sd/-

Raj Narayan Nigam
Dist. & Addl. Sessions Judge-1
cum Spl. Judge of NDPS Act & P.O of
Children Court cum present
Assignment, Begusarai/dated 10.03.2026

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