

In the Court of District & Additional Sessions Judge -XII

Present : S.M. Afzal

B.A. No. 342 of 2026

Arising out of Bhagwanpur P.S. Case No. 153 of 2025

U/s – 126(2), 115(2), 352, 351(3), 103(1), 3(5) of BNS & 27 of Arms Act.

**1. Raju Sah @ Raju Kumar, aged about 23 yrs. S/o Ramchandar Sah R/o Village- Naula (Noula),
Ward No.- 15, P.S.-Bhagwanpur, Distt- Begusarai.....Petitioner**

Versus

The State of Bihar.....opp. party

Appearance:

For the petitioner: Syed Md. Mansoor Alam (Ld.Advocate)

For the State: Shri. Raj Kumar Mahto(Ld. APP)

01.04.2026

The present bail application has been filed on behalf of the accused persons namely, **1. Raju Sah @ Raju Kumar**, who is in custody since 24.02.2026 in connection with **Bhagwanpur P.S. Case No. 153 of 2025** for having committed offences punishable **under section 126(2), 115(2), 352, 351(3), 103(1), 3(5) of BNS & 27 of Arms Act.**

Prosecution Story in brief is that on 13.05.2025 at 11:15am, Sanjay Sah was sitting in the courtyard of his house with his sons Sujit Kumar, Ajit Kumar, brother Sanjit Sah and wife Talo Devi. Meanwhile, Rajiv Sah and Raju Kumar and Suranjan Kumar, together entered his courtyard with country-made pistols and started abusing him and said that you are the one who tells the police about the sale of liquor. Meanwhile, his son Sujit Kumar stopped them from abusing. Meanwhile, Pooja Devi & Urmila Devi also came to his courtyard from the adjacent street and all of them started beating him. On this day Rajiv Sah fired a bullet with the intention of killing him but as he fell down the bullet did not hit him. In the meanwhile Raju Kumar, Pooja Devi, Urmila Devi & Raju Sah caught hold of his son Sujit and threw him on the ground. Rajiv Said “Uncle, his bullet had misfired, you shoot him. On saying that, Uncle Suranjan Kumar, shot his son Sujit Kumar in the chest with a pistol with the intention of killing him when they had thrown him on the ground. Sujit died immediately after being shot. Ramkumar Sah, and other people who came after hearing the noise also witnessed the incident. He claimed that those people were involved in liquor mafia, face currency business, firearms and bullet business. The whole family is involved in this. They keep protesting against this.

Learned advocate on behalf of the petitioners have submitted that earlier on behalf of the petitioners no anticipatory bail application has been filed before this Ld. Court or before the Hon’ble High Court, Patna under any provision of law. There is no criminal antecedents against these petitioners. The accused are quite innocent and they have committed no offence. The allegation alleged against the petitioners are totally false, baseless & imaginary. Petitioners have been falsely implicated in the case at the instance of enemies between the petitioners. On these grounds, it has been prayed that the bail application of the petitioner be allowed.

Heard learned counsel for the petitioners and the State.

Learned counsel for the State opposed the prayer of the bail of the petitioner.

On perusal of FIR and material available on record it is apparent that the accused petitioner Raju Kumar has specific allegation of Abusing & try to kill them & all the petitioners have allegations of quarrel with the informant, Beating the informant’s son of using physical force and violence to throw informant’s son on ground and rendering the deceased helpless and powerless to resist. Thereafter there is specific allegation against the present petitioner and other accomplish that they shot and caused firearms injury to informants son Sujit Kumar in the chest with a pistol with the intention of killing Sujit died

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immediately after being shot. On Para 73 of the case diary states that the petitioner has no criminal antecedent. On Para 67 of the case diary there is a Post-Mortem Report of the Deceased Sujit Kumar is as following:-

1. External Injuries:-

- 1) Firearms Projectile wound of entry 1/2"x1/2" chest Cavity deep going inside with lacerated, invertex margin with blackening over left lateral of sternum, soiled with blood & clots.
- 2) Firearms wound of exit 3/4"x3/4" in dimension with margins lacerated and everted over left side of back of chest at scapular region. Communicating with injury no(1)

2. Internal Injuries:-

- 1) Small intestines including appendix are filled with liquid faeces and gases
- 2) Left lung are lacerated with hemothorax
- 3) Heart findings- Heart ruptured and empty
- 4) Pericardial Sac – Lacerated
- 5) Meninges, meningeal spaces & Cerebral Vessels – Pale
- 6) Brain findings – Brain Matter Pale
- 7) Large intestines & Mesentery Vessels – Filled with liquid faeces & gases.

As per PM report the cause of death of deceased was Haemorrhagic & Neurogenic shock on account of above mentioned injuries caused by firearms.

There is Grievous allegation against all the accused petitioners including present petitioner to kill the informant's son.

ORDER

Considering the foregoing discussions & the facts & circumstances of the case and gravity of offence against the petitioners, this court is not inclined to grant the privilege of bail to petitioners. Accordingly, bail petition of the petitioner is hereby **Rejected**.

Dictated & Corrected
Sd/-
Distt. & Addl. Sessions Judge-XII,
Begusarai

Date of Order	01.04.2026
Date of Reserving Order	NA
Uploading Date	08.04.2026
Uploaded by	Sanyookta Kumari

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