

In the court of Addl. Sessions Judge-II, Begusarai.

Presiding Judge: Brajesh Kumar Singh

A.B.A No-1240/2026

(Arising out of Birpur, P.S Case No- 07/26)

IN THE MATTER OF:-

1. **Aayush Kumar**, aged about 19 years, S/O-Rajesh Mahto, R/O-Village-Birpur, Ward No-10, P.S.-Birpur, Dist-Begusarai

2. **Prince Kumar**, aged about 23 years, S/O-Ranjit Sharma, R/O-Village-Birpur, Ward No-12, P.S.-Birpur, Dist-Begusarai.Petitioners/Accused persons

Vs.

State of Bihar

.....Prosecution

Appearances:-

Sri Ajay Kumar, Ld. Counsel for the Petitioners/accused persons

Sri R.P. Yadav, Ld. Addl.P.P. for the state

ORDER

05.06.2026

1) The pre-arrest bail application under section 482 of Bharat Nagrik Suraksha Sanhita ("BNSS") on behalf of the petitioners-accused persons, namely, (i) **Aayush Kumar**, and (ii) **Prince Kumar** have been preferred inasmuch as they have been apprehending their arrest in connection with Birpur P.S Case No- 07/26, registered for the offences punishable under sections 191(2), 190, 126(2), 115(2), 109(1), 352, 351(2) B.N.S., pending in the court of Manas Sonewala, Ld. J.M.F.C., Begusarai.

2) The prosecution story is based on the the written report of one, Sonu Thakur (informant) lodged before the S.H.O of Birpur P.S., in which he has alleged that on 18.01.2026 at around 8:20 P.M., his brother, namely Rohit Thakur came out from the house to go to another house, then the neighbours namely (i). Robin Mahto, (ii). Ayush Kumar (petitioner no-i), (iii) Vishal Kumar, (iv) Vishakha Devi, (v) Punam Devi, (vi) Sumitra Devi, (vii) Prince Kumar (petitioner no-ii), with common intention, thronged there, surrounded the informant's brother namely, Rohit Kumar. As per informant, the accused- Robin Kumar threatened him to get the sewage water of hand-pump flow towards informant house, and Vishkha Devi exhorted to kill the informant's brother. As per informant, Ayush Kumar (petitioner no-i) assaulted on the head of Rohit Kumar by iron patti (rod) with the intention to cause death, because of which the informant's brother suffered head injuries. As per informant, Robin Kumar, with the butt of pistol, and Prince Kumar, with iron rod, have assaulted the grand-father of the informant, namely, Mohan Thakur on his chest and head, thereby injuring him badly. As per informant, informant was assaulted by Ayush Kumar (petitioner no-i) by iron rod on his head. As per informant, the aforesaid ladies have pelted

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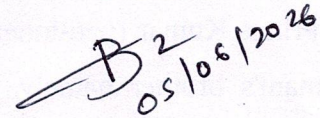
stones and bricks. As per informant, police came, and took the injured in the Birpur hospital by police-jeep. As per informant, Mohan Thakur was referred to Patna because his condition was grim.

3) I have heard the learned counsels for the parties.

4) From the perusal of record, it is clear that because of the assaults given by the accused-persons, as many as three (3) persons of the informant's family were injured. As per injury report of injured- Sonu Kumar in para no. 65 of the case diary, the injured suffered lacerated wound in the occipital region of scalp. As per para no. 66, the injured Rohit Thakur suffered lacerated wound in left side parietal region of scalp. The injured- Mohan Thakur has suffered lacerated wound over right side of face. As per doctor, the injuries were found grievous. *As far as this petitioner- Ayush Kumar is concerned, against him, there is specific allegation that he assaulted on the head of Rohit Kumar by iron patti (rod) with the intention to cause death, because of which the informant's brother suffered head injuries. From the injury report, it is clear that the injured-Rohit Kumar, and injured-Mohan Thakur had suffered injuries on their respective scalp, and the face respectively. The scalp as well as face are vital parts of human body. The injuries found on the person of the injured persons are specifically attributed to this petitioner,* in which case, I am not inclined to grant the privilege of pre-arrest bail to this petitioner.

5) Consequently, the A.B.A. No-1240/2026 is hereby **DISMISSED**.

Dictated

 05/06/2026

(Brajesh Kumar Singh)
 Addl. Sessions Judge-II,
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