

ORDER

Sudhir Kumar, 24 years, S/o Anil SinghPetitioner

Vs

State of Bihar.....O.P.

ORDER

26-05-2026 An application for grant of anticipatory bail filed on behalf of the above named accused petitioner namely **Sudhir Kumar**, who is apprehending his arrest in connection with Sajour P.S. **Case no. 61/2026** relating to offences punishable u/Ss 191(2), 190, 126(2), 115(2), 118(1), 109 of the B.N.S., pending in the learned Court of C.J.M., Bhagalpur, is put up and moved.

Heard Mr. Maheshwari Pd. Singh, learned counsel for the petitioner as well as Mr. B.K. Sah, learned Addl. P.P. for the State.

The prosecution story, in short, is that on 27-03-2026 while informant was on way to his house, all the five named accused persons including the petitioner herein, along with some unknown persons, waylaid him and opened fire. The informant slipped in course of fleeing away and fell down whereafter accused Kundan Kumar assaulted him by means of rear portion of countrymade weapon.

Learned counsel for the petitioner, apart from taking the pleas of innocence and false implication, submitted that a dispute took place between accused Kundan Kumar and his full brother Ram Parwesh Singh(informant) and as this accused petitioner had helped his brother-in-law Kundan Kumar in his treatment, so the informant implicated him in this false case and prayed to extend the privileges of anticipatory bail to the petitioner on the grant of anticipatory bail to co-accused Deepak Kumar by this very court which is vehemently opposed by the learned Addl. P.P. for the State.

Heard both sides and perused the case record from which it transpires that petitioner and others are named in the F.I.R. and carry allegation of assaulting the informant and there is further allegation of opening fire. It is specifically alleged that informant was hit on his head by means of rear portion of countrymade weapon. The injury report of informant would reveal that doctor has found only one abrasion over his head and opined the same as simple in nature caused by hard and blunt substance. The dimension of abrasion is not mentioned in the injury report and there is only one abrasion which shows that there was no repetition of blow. From perusal of case diary, it transpires that there was dispute between informant and his brothers relating to share of money which has been stated by witnesses, in their respective statements, as mentioned in para 3, 10, 11, 12 and 13 of the case diary. Though allegation of firing is levelled in the F.I.R. but no evidence has come in the case diary in this connection. Allegation of assaulting is levelled against accused Kundan Kumar who is

not petitioner herein. Record reveals that prayer for anticipatory bail of co-accused Deepak Kumar has been considered by this court vide A.B.P. no. 868/2026 and case of petitioner stands on similar footing. Under these circumstances and taking into account the nature of injury as well as on the ground of parity, this Court is inclined to extend the privileges of anticipatory bail to this petitioner.

Hence, the prayer for grant of anticipatory bail made on behalf of accused petitioner namely **Sudhir Kumar** is hereby ***allowed***. It is hereby directed that in the event of arrest or surrender before the learned Court below within 30 days from the receipt of a copy of this order, the accused petitioner shall be released on bail on furnishing bail bond of Rs.10,000/-(Ten thousand rupees only) with two sureties of the like amount each to the satisfaction of the learned Court below. Petitioner is directed to file an **undertaking** that he will not misuse the privileges of bail, will cooperate in the trial and is further directed to furnish his mobile number with direction that neither he will change the mobile number nor turn off the mobile without information to the court.

Dictated

Sd/-

(Prabhat Krishna)
IVth Addl. Sessions Judge
Bhagalpur

Date of judgment/order	26-05-2026
Date of Reserving judgment/order	-
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