

IN THE COURT OF SRI RAJ NARAYAN NIGAM, DISTRICT & ADDITIONAL SESSIONS JUDGE- I,
BHAGALPUR

Bail Petition No. 766/2026

(Arising out of Nathnagar P.S. Case No. 103/2026)

U/s 126(2), 115(2), 103(1), 109, 351(2), 351(3), 3(5) BNS.

Guljari Kumar @ Gulgari Mandal versus The State of Bihar

Guljari Kumar @ Gulgari Mandal , age 19 years, S/o Dinesh Mandal.

R/o Village- Mathurapur, P.S- Nathnagar, District- Bhagalpur.

.....Petitioner

Versus

The State of Bihar

.....Opposite Party

For the Petitioner : Mr. Amit Kumar, Ld. Advocate.

For the State : Mr. Vijay Kumar Singh, Additional P.P.

Date of order or proceeding	Order with signature of the court	Office action taken with date
2	3	4
23-07-2026	The accused-petitioner namely Guljari Kumar @ Gulgari Mandal who is in custody since 01-04-2026 has filed this bail petition in connection with Nathnagar P.S. Case No. 103/2026 registered under section 126(2), 115(2), 103(1), 109, 351(2), 351(3), 3(5) of BNS. On behalf of the petitioner a certificate has been given in Para 2 of petition that earlier petitioner has not filed any bail petition in any form on previous occasion either in the Court of Learned Sessions Judge, Bhagalpur or before the Hon'ble High Court Patna. Further, the petitioner bears clean antecedent as per para 3 of bail petition. Prosecution case in brief as per fardbayan of Chandan Kumar recorded on 27-03-2026 at around 8.30 AM at the police camp of JLNCH, Bhagalpur is that on 23-03-2026, at around 7.30 PM in the evening, Ashish Kumar, Sarjug Mandal, Guljhari Kumar and Kishlay Kumar were consuming some intoxicating substance in front of his house. When brother of Roshan Kumar asked the reason of consuming drugs in front of his house, all the accused persons started assaulting him. Thereafter, all the four accused persons came armed with <i>lathi-danda</i> and iron rod and entered in the house of informant and with intention to kill and started brutally beating Roshan Kumar. When informant tried to intervene and rescue Roshan Kumar, they also assaulted him. Thereafter, they brutally assaulted Roshan Kumar causing him to fall to the ground and all the accused persons flee away. Thereafter, informant got his injured brother admitted in JLNCH, Bhagalpur for treatment and during the course of treatment on 26-03-2026 at about 5 p.m. Roshan Kumar was declared dead. The above named accused persons have also threatened informant for dire consequences. Hence, the FIR. The learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in this case due to dirty village politics. He further submitted that there is delay of 04 days in lodging of FIR without any cogent reason and allegation alleged against	

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the petitioner is omnibus in nature. He further submitted that there was no premeditation, prior conspiracy or any common intention to commit an offense U/s 103(1) BNS. Petitioner is in custody since 01-04-2026. Hence, it is prayed to enlarge the petitioner on bail.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail.

Heard both sides. Perused the case diary. Having regard to the facts and circumstances of the case this court finds that there is allegation that the petitioner along with other co-accused have assaulted Roshan Kumar causing him grievous hurt resulting to his death during treatment. Petitioner is named in FIR. Inquest report of petitioner reveals that petitioner died during treatment due to injury caused due to assault. Informant in his re-statement mentioned in para-27 of case diary have reiterated the prosecution story and witnesses in para 05, 06 and 28 of case diary have supported the prosecution version. Postmortem report of deceased reveals face, mouth and nostrils were with blood and blood clots, one bruise 2" x 1" was present over left temporal bone, one graze abrasion 0.5" x 0.5" x skin deep was present over right great toe, the abrasion 0.5" x 0.5" x skin deep was present over left great toe, doctor opined above noted injuries were antemortem and dangerous to life in ordinary course of nature and caused by hard and blunt object and cause of death is hemorrhage and shock due to above noted all injuries. One of the co-accused Kishlay Kumar in confessional statement of have accepted his guilt and also told name of other co-accused persons including the petitioner. Charge-sheet has already been submitted against the petitioner and three other co-accused persons under section 126(2), 115(2), 103(1), 109, 351(2), 351(3), 3(5) of BNS and cognizance has also been taken against the petitioner and two other co-accused persons under section 126(2), 115(2), 103(1), 109, 351(2), 351(3), 3(5) of BNS.

Considering the aforesaid facts and circumstances, seriousness of allegations alleged against the petitioner, this court is not inclined to enlarge the petitioner on bail. Accordingly, prayer for grant of bail of the above named petitioner stands **Rejected**.

SD/-

District & Additional Sessions Judge- I

Bhagalpur.

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