

IN THE COURT OF SRI DEEPAK KUMAR-I, ADDITIONAL SESSIONS JUDGE- II, BHAGALPUR

Bail Petition No.- 781/2026

(Arising out of **Nathnagar P.S. Case No. 162/2025**)

U/s 126 (2), 115 (2), 109, 303 (2), 352, 3 (5), BNS and 25 (1-b)a, 26, 27, 35, 37 Arms Act.

Abhishek Kumar, age 19 years, S/o Bablu Mandal**Petitioner**

Versus

The State of Bihar**Opposite Party**

Appearance:

For the Petitioner: Mr. Basukinath Pandey, Learned Advocate.

For the State: Mr. Abhay Kumar Singh, Learned A.P.P.

Date of Order	Order with Signature of the Court
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17.07.2026	A regular bail petition has filed on behalf of the above named accused-petitioner who is in judicial custody since 08.05.2026 in connection with Nathnagar P.S. Case No. 162/2025 for the offence punishable U/s 126 (2), 115 (2), 109, 303 (2), 352, 3 (5), BNS and 25 (1-b)a, 26, 27, 35, 37 Arms Act. On behalf of petitioner a certificate has been given in the bail petition that earlier petitioner has not filed any anticipatory or regular bail petition either before the Ld. Principal Sessions Judge, Bhagalpur or before the Hon'ble High Court, Patna. A certificate has given at para-3 of the bail petition that accused-petitioner has one criminal antecedent bearing Nathnagar P.S. Case No. 130/24 U/s 392 IPC. Prosecution case, as per FIR of informant Munilal Mandal, in brief, is that on 23.05.2025 at about 2:00 p.m. he was at Puranisarai Bypass pool, in the meanwhile, Anta Mandal @ Annu, Shivam Kumar and Abhishek Kumar handed with desi pistol came and started abusing and fired a bullet upon the informant. Thereafter, informant tried to flee away from there but all FIR named accused persons caught the informant and assaulted him by means of Butt of pistol, fists and slaps and snatched his chain. On noise, his daughter and wife came to rescue him then they have also assaulted his daughter due to which his daughter got head injury. Thereafter, nearby people came and they tried to flee away but Shivam Kumar caught by villagers with pistol and 10 cartridges and handed over the caught person in police station. A dispute has been arose between them due to Saraswati Puja. Hence, this FIR is lodged. The Ld. counsel for the petitioner submitted that the petitioner is innocent and has not committed any offence and he has falsely been implicated in this case. Further, submitted that alleged sections are not made out against the accused-petitioner and arms were not recovered from the physical possession of this accused-petitioner and he was not

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present at the place of occurrence. Further, co-accused has granted regular bail by this Court vide in B.P. No. 886/2025. Further, submits that petitioner is in judicial custody since 08.05.2026, hence, petitioner deserves bail.

On the other hand, learned Additional Public Prosecutor for the State opposed the prayer for regular bail of the petitioner.

Heard both the parties.

Perused the case record as well as case diary and on perusal the case it transpires that there is allegation against this accused-petitioner that he alongwith other co-accused persons handed with weapon caught the informant and fired a bullet upon the informant and when his family members came to rescue him then they have also assaulted them. Perused the injury report of injured Sonpari Kumari and the injury report of injured Munilal Mandal is being kept reserved till today. Para-2 of the case diary is the seizure list. Para-3 of the case diary is the restatement of informant who has reiterated the prosecution case. Witnesses vide in para No. 15 and 16 of the case diary is the statement of witnesses who have also supported the prosecution case. Para-10 of the case diary is the confessional of this accused-petitioner who confessed his guilt and stated that he alongwith other co-accused persons have involved in this crime. Moreover, accused-petitioner has been languishing in judicial **custody since 08.05.2026**.

In the facts and circumstances as stated above, considering the period of custody, petitioner is directed to be **released on bail** on furnishing bail bond *after framing of charge* of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Ld. Trial Court.

Sd/-

Additional Sessions Judge II
Bhagalpur.

Date of Judgment/Order	17.07.2026
Date of Reserving Judgment/Order	N/A
Uploading Date	27.07.2026
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