

In the Court of District & Additional Sessions Judge-I, Darbhanga, Bihar.
ABP No.- 65/2026

Ref :- Arising out of Kamtaul P.S. Case No. 208/2025, Dated-22.09.2025, U/s-
126(2), 308(3), 109(1), 352, 351(2), 3(5) BNS 27 Arms Act

In the matter of :-

Santosh Paswan aged about 45 years S/o Late Jogindar Paswan
Resident of Village- Shahwazpur Karhaliya P.S. Mabbi, District- Darbhanga

----- **Petitioner**
Versus.
The State of Bihar ----- **Opposite Party**

Learned counsel for the petitioner : Sri Ramesh Paswan, Advocate.

Learned counsel for Opp.Party : Sri Amrendra Narayan Jha, P.P.

Date of order:- 09.03.2026

ORDER

1. The present application has been filed on behalf of the petitioner seeking the privilege of anticipatory bail in connection with Kamtaul P.S. Case No. 208 of 2025, dated 22.09.2025, registered under Sections 126(2), 308(3), 109(1), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita and Section 27 of the Arms Act, presently pending in the Court of the learned Chief Judicial Magistrate, Darbhanga.
2. As per the prosecution case, on 10.08.2025, Ankaj Kumar, who is the younger brother of the petitioner Santosh Paswan, allegedly took away the daughter of the informant due to a love affair between them. Thereafter, it is alleged that the present petitioner repeatedly threatened the informant for recovery of his daughter.
3. It is further alleged that on 22.09.2025 at about 6:30 P.M., when the informant was sitting with his friends, three persons arrived there on a motorcycle and attempted to forcibly take the informant along with

them. Upon resistance by the informant, one of the accused persons allegedly took out a pistol and fired a shot. Hearing the sound of firing, nearby persons gathered at the place of occurrence and the accused persons attempted to flee from the spot. However, one of them was apprehended by the local people who disclosed his name as Arbind Yadav. It is further alleged that during enquiry the apprehended accused disclosed that the present petitioner along with Murari Yadav had instigated them to kidnap the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. It is further submitted that the petitioner has clean antecedent. It has also been argued that the wife of the petitioner has lodged Mabbi P.S. Case No. 109 of 2025 against the younger brother of the informant and in order to save themselves from the said case, the present case has been falsely instituted against the petitioner. Hence, it is prayed that the privilege of anticipatory bail be granted to the petitioner.
5. Learned Public Prosecutor for the State has opposed the prayer for anticipatory bail and submitted that the prosecution witnesses have supported the occurrence and used cartridges have also been recovered by the police from the place of occurrence. It is further submitted that the petitioner is alleged to have instigated the accused persons to commit the offence of kidnapping with the use of firearm, which is a serious allegation.
6. Considering the facts and circumstances of the case, the nature and gravity of the accusation, the recovery made from the place of

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occurrence and also the fact that the investigation is still in progress, I

am not inclined to grant the privilege of anticipatory bail to the
petitioner at this stage. Accordingly, the anticipatory bail petition
stands rejected.

(Dictated)

**District & Addl Sessions Judge-I
Darbhanga.
09.03.2026**

Memo No. _____ dated _____

Office of the Addl. Sessions Judge-1, Darbhanga.

Copy of order forwarded to the Court of learned CJM, Darbhanga for information
and needful.

**District & Addl Sessions Judge-I
Darbhanga.**

Date of Order	09-03-2026
Uploaded Date	13-03-2026
Uploaded By	Ratnesh Kumar (DEO)

Memo No. _____ dated _____

Office of the Addl. Sessions Judge-1, Darbhanga.

Copy of order forwarded to the Court of learned CJM, Darbhanga for information and needful.

**District & Addl Sessions Judge-I
Darbhanga.**

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