

In the Court of Sessions Judge, East Champaran, Motihari.

Present:-

Abhishek K. Das
Sessions Judge,
East Champaran, Motihari

Bail Petition No. 1740 of 2026

1. Raj Kapoor Kumar, aged about 20 years, S/o- Munna Kumar.

Resident of village- Gola Pakadiya Tola Fatehpur, P.S. Lakhaura, District- East Champaran.

----- **Petitioner.**

Versus

The State of Bihar

----- **Opposite party.**

Counsel for the Petitioner :- Sri Ramtapsya Singh, Advocate.
Counsel for the State :- Sri Khublal Prasad, Public Prosecutor.

01.07.2026

This is a bail petition filed on behalf of the petitioner-accused, namely, **Raj Kappor Kumar** in connection with Lakhaura P.S. Case No. 24 of 2026 u/s 103(1), 3(5) of B.N.S. and 25(1-b)a, 26, 27 and 35 of Arms Act.

In para-2 of this bail petition, it is mentioned that no other regular or anticipatory bail petition has ever been filed on behalf of the petitioner either in this court or before Hon'ble Patna High Court. In para-3 of the bail petition, it is mentioned that the petitioner has no criminal antecedent vide (1) Lakhaura P.S. Case No. 88/2024 and (2) Ghorasahan P.S. Case No.50/2024 and in para-4 of the bail petition it is mentioned that the petitioner is in judicial custody since 21.01.2026.

As per F.I.R., the petitioner alongwith other co-accused persons shot the informant's son, as a result he received gunshot injury on his head and consequently he died on the way to SKMCH, Muzaffarpur for treatment.

The learned counsel for the petitioner-accused has submitted that the petitioner-accused is innocent, he has committed no offence and has falsely been implicated in this case. The petitioner has no any concern with the alleged occurrence.

The learned Public Prosecutor appearing on behalf of State has opposed the prayer for bail.

Heard both sides and perused the record. From perusal of the record, it transpires that the petitioner is named accused in the F.I.R. with the allegation that the petitioner and other co-accused persons shot the informant's son, as a result he died on the way for treatment. As per Post-Mortem report appended with the case diary, one entry wound on left side temporal eminence of head of size 1/2" x 1/2" x cavity deep

01.07.2026

continued...

and bruise over left upper eyelid of size 2"x 1" have been found on the dead body of deceased and cause of death is shock and haemorrhage due to above injuries caused by firearm. As per para-3, 4, 7, 8, of the case diary, the informant in his restatement and witnesses have corroborated the version of the F.I.R. and supported the prosecution case. The F.I.R. itself reveals that the petitioner was last seen with the informant's son (deceased). As per para-3 of the bail petition, the petitioner has criminal antecedents vide (1) Lakhaura P.S. Case No. 88/2024 and (2) Ghorasahan P.S. Case No.50/2024 but as per para-73 of the case diary, the petitioner has criminal antecedent vide (1) Lakhaura P.S. Case No.88/2024 only. As per para-75 of the case diary, the investigation is under progress..

In the facts of the case and keeping in view the nature of allegation, gravity of offence, I am not inclined to enlarge the petitioner-accused on bail. Accordingly, the prayer for bail of petitioner-accused, namely, **Raj Kapoor Kumar** stands **rejected**.

Let a copy of this order be communicated to the Superintendent of Police, East Champaran at Motihari to take necessary action against the erring I.O. for not verifying the criminal antecedent of the petitioner/accused properly.

(Dictated)

sd/-

Sessions Judge
East Champaran, Motihari
01.07.2026