

IN THE COURT OF ADDITIONAL SESSIONS JUDGE-II, GAYA

Anticipatory Bail Petition No. 885 of 2026

[Arising out of Kotwali P.S. Case No. 49 of 2026]

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1. Prasant Kumar alias Prashant Mani, son of Anil Kumar Singh,

R/o.- Mohalla-Piparpanti, P.S.-Kotwali, Distt.-Gaya.

2. Rishabh Kumar son of Binod Sharma,

R./o- Mohalla-Toli, P.S. Civil Lines, Distt.-Gaya.

----- Accused Petitioners

Versus

The State of Bihar

----- Opposite Party

Present:- Nalin Kumar Pandey

13.03.2026

1. This anticipatory bail application has been filed on behalf of above named accused petitioners who are apprehending their arrest in connection with Kotwali P.S. Case No. 49 of 2026 for the offences punishable under Sections 109, 352, 3(5) of BNS and 27 of Arms Act.

2. Sri Neeraj Kumar, the learned advocate appeared on behalf of the accused petitioners. The prosecution is being represented by the learned Additional Public Prosecutor.

3. The submission of the learned counsel for the accused petitioners is that the petitioners are quite innocent, have committed no crime as alleged by the prosecution and all the allegations levelled against them are false and baseless. Further he submitted that compromise has reached between both the parties and there is no any criminal antecedent found against the petitioners. He also submitted that both petitioners and informants are students and persuing studies in Bachalor Course. On these grounds a prayer has been made to grant anticipatory bail to the accused petitioners.

4. The case of prosecution based on the written application of the informant, in brief is that, on 24.01.2026 at about 22:30 PM, in Kirani Ghat locality, out of two accused persons, Prashant fired gun shot on informant, while he was walking on Manpur Bridge. That Prashant called him on the phone and started abusing him. Earlier when he did not say anything abusive, but later on when he was in the heavily intoxicated state, he again called him and started abusing him. It is also alleged that Prashant on instruction of Rishabh, fired the gun shot, however, it did not hit him and the bullet passed over his head.

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5. Heard the Ld. Defence Counsel and the Ld. APP as well as perused the case record. Informant himself appeared before the Court and submitted that he heard from other persons that a gunshot was fired and on the basis of such information, he named these petitioners in the F.I.R. The informant has further stated that he is not certain about the identity of the person who had fired the gun shot. The informant as well as two petitioners admitted the factum of the compromise between the parties. Both sides admitted that any injury or any assault has not taken place and F.I.R. was registered on the mis-understanding and mis-conception of the fact. Compromise petition filed is on record. No criminal antecedent found against the petitioners. The petitioners are young persons aged between 20 and 22 years respectively. They are students and are preparing for competitive exam for their career. In view of the compromise between the parties and in the absence of any incriminating material on record, this Court finds it appropriate to grant the privilege of anticipatory bail to the petitioners.

6. Considering the aforesaid facts and circumstances, particularly the young age of petitioners as well as their future prospects, this Court finds it appropriate to grant anticipatory bail to the accused petitioners. If the accused petitioners appear before the learned Original Court below within a period of one month from the date of receipt of the order to Trial Court, they shall be released on bail on furnishing bail bond of Rs 10,000/- with two sureties of like amount each to the satisfaction of the original court with the statutory conditions particularized u/s 482 (2) of the B.N.S.S.

Accordingly, this anticipatory bail application is hereby **allowed**.

Sd-

(Nalin Kumar Pandey)
Addl. Sessions Judge-II, Gaya
13.03.2026