

IN THE COURT OF DISTRICT & ADDL. SESSIONS JUDGE-XVII, GAYA
A.B.P. No. 1668/2026

Ref:- Arising out of Wazirganj P.S. Case No. 704/2025, u/s 103(1), 61(2)(a) BNS and 27 Arms Act.

In the matter of :-

1. Sandeep Kumar, aged about 30 years, S/o Dwarika Prasad @ Dwarika Prasad Yadav
R/o village – Tarma, P.S. – Wazirganj, District - Gaya **....Petitioner**

Vs.

State of Bihar

..... Opposite Party

Present:- Kiran Chaturvedi
District & Additional Sessions Judge-XVII, Gaya

Ld. Counsel for the petitioner :- Sri Manoj Kumar Sinha, Adv.

Ld. Counsel for the state. :- Ld. A.P.P.

Date of order :- 09.06.2026

ORDER

The present anticipatory bail petition has been filed on behalf of the above-named accused/petitioner, who apprehends arrest in connection with the above mentioned case registered under Sections 103(1), 61(2)(a) BNS and 27 Arms Act. The matter has been placed for hearing.

The prosecution story, in brief, is that on 19.10.2025 at about 08:00 P.M., the husband of informant namely Umesh Prasad @ Binod Mahto was returning his home Punadih from market in the meanwhile all the accused persons named in the FIR have shot to the husband of the informant due to mondy and land dispute. Informant's husband sustained serious injuries and was taken to the CHC, Wazirganj, where the doctor declared him dead.

The Learned defence counsel submitted that no bail petition either regular or anticipatory was filed and moved anywhere on behalf of the petitioner either before this court or any other superior court. It was further submitted that the petitioner is innocent and committed no offence. He has been falsely implicated in this case due to land dispute. As per paragraph 3 of the bail petition, the petitioner having clean antecedent. It is further submitted that from the FIR, there is no any specific allegations is leveled against the petitioner. The dispute regarding land is existed and admitted by the informant in FIR and due to land dispute the petitioner was dragged in this case. Petitioner has no concern from the informant and petitioner has never claimed the land as mentioned in FIR. Petitioner has never caused any overt act to the informant and her husband. So, he may enlarged on bail.

On the other hand, the learned A.P.P. appearing on behalf of the state vehemently opposed the prayer for bail.

Heard both parties and perused the case record along with the OCR. From perusal of case record, it appears that the case has been registered under Sections 103(1), 61(2)(a) BNS and 27 Arms Act. From perusal of case record, it transpires that there is allegations against the accused petitioner for shot fire upon the ifnormant's husband due to which he succumbed to death. As per case diary para nos. 3, 4, 5, 9, 10 & 11, all the witnesses have fully supported the case of prosecution. Accused petitioner is named in FIR. From perusal of the confessional statement of Mukesh Kumar Saxena @ Mukesh Yadav @ Mukesh Don and Mahesh Prasad, which is mentioned in case diary para no 55 and 61, it transpires that accused petitioner is involved in murder of informant's husband namely Umesh Prasad @ Vinod Mahto. Postmortem report of the deceased attached in the case diary para no. 100, which shows that above noted injuries were antemortem and injurious to life which is caused by fire-arm firing bullet, all above injuries are greivous and injuries to life cause of death due to hoemorrhage and shock.

Thus, considering the above facts and circumstances and the gravity of the offenses, I am not inclined to release the petitioner on anticipatory bail. Hence, the prayer of the petitioner is hereby **rejected**.

(Dictated)

S/d-

D.A.S.J. XVII, Gaya

Date of Judgment/order	09.06.2026
Date of Reserving Judgment/order	N/A
Uploading Date	24.06.2026
Uploaded by	Shashikant Kumar(DWTC)