

IN THE COURT OF DISTRICT & ADDL. SESSIONS JUDGE- XVth, GAYA JEE.

A.B.P. No. 1669/2026

Arising out of Buniyadganj P.S. Case No. 196/2020.

Mitesh Kumar, aged about- 36 years, S/o- Bhola Nath Singh.

R/O- Village- Delha, P.S. - Buniyadganj, District-Gaya (Gaya Jee).....Petitioner.

Vs

State of Bihar-----Opposite party.

Present :-Rajesh Mohan, District & Additional Sessions Judge-XV,Gaya Jee.

Learned Counsel for the petitioners:- Sri Subodh Kumar, Ld. Advocate.

Learned APP for the State:- Sri Rajendra Kumar, Ld. Advocate.

30-06-2026: The petitioner apprehends his arrest in connection with Buniyadganj P. S. Case No. 196/2020, registered for the offence punishable U/S 341, 323, 308, 506/34 IPC pending in the court of A.C.J.M.VIIIth, Gaya Jee.

The prosecution story in narrow compass. The informant has filed a written complaint to S.H.O., Buniyadganj P.S., Gaya Jee, inter alia therein stating that on 26-12-2020 at about 9.00 A.M. when the informant was in the field then all aforesaid accused persons named in the F.I.R. including the petitioner came there and assaulted the informant's son and nephew with club, stick and also thrown bricks over them due to which they suffered injuries in their heads.

Heard learned counsel for the petitioner and learned APP for the State.

As earlier called for, lower court record along with case diary is received to this court.

Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence and has falsely been implicated in this case. He further submits that earlier to this no such an application for anticipatory bail has ever been filed on behalf of the petitioner either before the learned Principal District and Sessions Judge, Gaya Jee, or Hon'ble High Court. He further submits that petitioner has no criminal antecedent. He further submits that there is no specific allegation against the petitioner. He further submits that during the course of investigation the petitioner has been given the liberty of the section 41 (A) Cr. P.C. 1973 corresponding to section 35(3) BNSS. He further submits that as per paragraph no. 49 of the case diary the injuries sustained by the victims are simple in nature and appears to be caused by hunter. He further submits that petitioner is ready to face trial and cognizance has been taken by the court below by its order dated 06.03.2023. He further submits that section 308 IPC is not attracted in this case and prays for anticipatory bail on behalf of the petitioner.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

Under the facts and circumstances stated above and going through both the F.I.R., and case-diary and having regard to the rival submissions of both sides, this court is inclined to grant anticipatory bail to the petitioner.

In the court of District and Additional Sessions Judge-XV, Gaya Jee.

A.B.P. No. 1669/2026

Arising out of Buniyadganj P.S. Case No. 196/2020.

Mitesh Kumar -----petitioner.

Vs

The State of Bihar-----opposite party.

Let the petitioner be released on bail in the event of his arrest or surrender in the court below within a period of three weeks from the date of communication of this order on furnishing bail bond of rupees 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of the court below subject to conditions laid down u/s 438(2) Cr. P.C. corresponding to section 482(2) BNSS.

Accordingly, this anticipatory bail petition is allowed.

(Dictated)

Sd/-

(Rajesh Mohan)

District and Additional Sessions Judge-XV, Gaya Jee.

Date of reserving of order	30-06-2026
Date of order	30-06-2026
Uploading date	01-07-2026
Uploaded by	Pankaj Kumar Sinha