

Court of Additional Sessions Judge I, Jhanjharpur

A.B.P. No- 449/2026

Radheshayam Kumar @ Radheshayam Mandal Vs. State of Bihar

(Andharamath P.S Case No- 106/2025)

U/s- 126(2), 115(2), 118, 109, 329(3) B.N.S. and 25(1-b)(a), 26, 27, 35 Arms Act.

S.N	Date of order	Order with signature	Office notes as to action taken
1	2	3	4
	02.06.2026	1. This anticipatory bail petition has been filed on behalf of accused namely Radheshayam Kumar @ Radheshayam Mandal, seeking pre-arrest bail, in connection with Andharamath P.S Case No- 106/2025, U/s- 126(2), 115(2), 118, 109, 329(3) B.N.S. and 25(1-b)(a), 26, 27, 35 Arms Act. 2. Heard Shri Raj Deo Yadav, Ld. Advocate on behalf of petitioner and Sri Indrakant Prasad, learned APP for the state. 3. Ld. counsel Shri Raj Deo Yadav on behalf of the petitioner has submitted that no any regular or anticipatory bail petition has earlier been filed on behalf of the petitioner either before this Court or before the Hon'ble High Court Patna and petitioner has one criminal antecedent. It is further submitted that petitioner is innocent and has not committed any offence and petitioner has falsely been implicated in the above noted case out of enmity, grudge and party politics of the village and the prosecution story is false and concocted. It is also submitted that no occurrence as alleged did ever took place and there is no any specific allegation against the petitioner and alleged all sections are bailable except U/s 118, 109 of the BNS & 25(1-b) (a), 26, 27, 35 Arms Act. Lastly it is submitted that petitioner is ready to furnish sufficient sureties and there is no chance of his absconding. The learned counsel prayed to enlarge the petitioner on bail. 4. The learned APP Sri Indrakant Prasad present on behalf of state opposed the petition and prayed to reject it. 5. The case of prosecution is in brief is that informant of this case is Amit	

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Contd. 02.06.2026	Kumar, it is alleged that on 12.06.2025 at about 05:00 P.M. when informant was at his shop then one boy came to purchase some article then three boys from his village came and started to assault the boy, on protest all three persons started assaulting and abusing the informant. Some people came there and calmed down the fight. Later at night at about 8:30 P.M. the accused petitioner along with other persons having deadly weapons such as pistol, lathi, danda etc. came to the shop of the informant where the informant's father was sitting and with intention to kill, attacked the father of the informant. When informant went to negotiate then one accused Bikram Yadav fired over the informant by means of firearm and the bullets hits informant's arm. On hearing the noise many people came there and in the meantime police also came. Hence, this case. 6. Heard both sides at length and perused the case record along with case dairy available. From perusal of the record it transpires that on the basis of written application given by the informant namely Amit Kumar before S.H.O. Andharamath P.S. , Dist. Madhubani, this very case has been registered under sections 126(2), 115(2), 118, 109, 329(3) of B.N.S. and sections 25(1-b)(a), 26 ,27, 35 of the Arms Act. From perusal of the record it also transpires that as per allegation accused petitioner along with other co-accused persons having deadly weapons such as pistol, lathi, danda etc. came to the shop of the informant, where the informant's father was sitting there attacked the father of the informant and when the informant came to negotiate one accused Bikram Yadav fired over the informant which hits informant's arm resulted the informant sustained firearm injury over his arm,	
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**Contd.
02.06.2026**

on listening halla many people came there and in the meantime police also came and the police had recovered a live cartridge and a fired cartridge bullet (khokha) from the place of occurrence. Accordingly seizure list was prepared there and in spite of that the petitioner accused has criminal antecedent. In spite of that injury report also corroborates the occurrence alleged. The victim informant sustained injury of laceration in his right elbow measuring 1 inch x ½ inch. The witnesses in the case diary have also supported the case of the prosecution in para No. 9, 10, 11, 12 and 13. The S.D.P.O in his supervision report recorded in para No. 73 of the case dairy, the occurrence is found to be true against the petitioner accused and others.

7. Therefore, considering the aforesaid facts as well as gravity and nature of offence and criminal antecedent of the petitioner accused, I am not inclined to enlarge the petitioner on anticipatory bail. Therefore, prayer for anticipatory bail on behalf of petitioner namely **Radheshayam Kumar @ Radheshayam Mandal** is hereby **rejected**.

Dictated and Corrected
Sd/-

(Sushil Kumar Dixit)
Addl. Sessions Judge-Ist
Jhanjharpur.

Memo No..... Date.....

Copy of order along with LCR be sent to the Court of S.D.J.M. Jhanjharpur for information and needful.

(Sushil Kumar Dixit)
Addl. Sessions Judge-Ist
Jhanjharpur.

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