

IN THE COURT OF SESSIONS JUDGE, MUNGER

ANTICIPATORY BAIL APPLICATION No.- 315/2026

along with

ANTICIPATORY BAIL APPLICATION No.- 501/2026

Deepak Kumar and others Vs. The State of Bihar
Muffasil P.S. Case No. 45/2026

10.04.2026

1. A petition dated 23.03.2026 has been filed on behalf of petitioner No. 1 namely Deepak Kumar in A.B.A. No. 315/2026 seeking permission to withdraw this anticipatory bail application, in connection with Muffasil P.S. Case No. 45/2026.
2. The Ld. Counsel for the petitioner No. 1 submits that the petitioner No. 1 namely Deepak Kumar has already been arrested by the Police. Therefore, he wants to withdraw the present anticipatory bail application on behalf of him, hence he may be permitted to withdraw the same.
3. The Ld. P.P. raised no objection.
4. Heard. Perused the petition dated 23.03.2026.
5. Prayer is **Allowed**. Accordingly, this anticipatory bail application on behalf of the petitioner No. 1 namely Deepak Kumar in A.B.A. No. 315/2026 is **Dismissed as Withdrawn** as prayed for.

Dictated

(ALOK GUPTA)
Sessions Judge, Munger
10.04.2026

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**Later on....
10.04.2026**

1. The present anticipatory bail applications have been preferred by petitioner **Om Prakash**, S/o- Late Rakesh Yadav in **A.B.A No. 315/2026** as well as petitioner **Shubham Kumar**, s/o- late Rajesh Yadav in **A.B.A No. 501/2026** in connection with Muffasil P.S. Case No. 45/2026 u/ss 126(2), 115(2), 110(1), 109, 352, 351(2) and 3(5) of B.N.S. and section 27 of Arms Act, pending in the Court of Ld. C.J.M., Munger.

2. As both these anticipatory bail applications arises out of same P.S., hence both were taken up for hearing together and are being disposed off by this common order.

3. The informant has alleged that all the accused persons including the petitioner armed with lathi-danda and countrymade pistol physically assaulted him and the co-accused Deepak Kumar fired two gun shots upon him which did not hit him as a result of which he suffered injuries. Hence the information, based on which the above stated P.S. case was registered.

4. At the outset the Ld. Counsels in both the anticipatory bail applications have certified that previously no any other anticipatory or regular bail has been filed on behalf of the petitioners before this Court or before any other Court including the Hon'ble High Court. They also certified that **the petitioner of A.B.A. No. 315/2026 has two criminal cases pending against him and the petitioner of A.B.A. No. 501/2026 has one criminal case pending against him.** The Ld Counsels in both the

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anticipatory bail applications submitted that the petitioners are innocent and have not committed any offence and further that they have been falsely implicated in this case. That no case u/s 109 of B.N.S. is made out against the petitioners. Therefore the Id. Counsels in both the anticipatory bail applications plead that the petitioners be granted the privilege of pre-arrest bail.

5. The Ld. PP has opposed the bail application of the petitioners and submits that the petitioners are the named accused of the F.I.R. and there are specific allegations of assault against them. That the investigation in the case is continuing. That the witnesses in their respective statements on paras 11, 12 and 13 of the case diary have supported the prosecution case. That two cartridges have been recovered in the case.

6. Heard the submissions of respective Id. Counsels and perused the record of the case.

7. From perusal of the case record, it appears that the petitioner is a named accused of the F.I.R. and there are specific allegations of fire against him. That the investigation in the case is continuing. That the witnesses in their respective statements on paras 11, 12 and 13 of the case diary have supported the prosecution case. However, from perusal of the injury report, it is apparent that the injury is simple in nature caused by hard and blunt substance. That two cartridges have been recovered in the case. That the petitioner of A.B.A. No. 315/2026 has two

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criminal cases pending against him and the petitioner of A.B.A. No. 501/2026 has one criminal case pending against him as per para 3 of the present anticipatory bail applications.

8. Therefore, considering the seriousness of the offence, the nature of allegations and in the totality of the facts and the circumstances of the case, in my view no case for grant of anticipatory bail is made out. Hence, both the anticipatory bail applications are hereby **Rejected**.

Dictated

(ALOK GUPTA)
Sessions Judge, Munger
Dated:- 10.04.2026