

IN THE COURT OF SESSIONS JUDGE, MUNGER

BAIL APPLICATION No.- 817/2026

Deepak Kumar Vs. The State of Bihar

Muffasil P.S. Case No. 45/2026

10.04.2026

1. The present bail application has been preferred by petitioner **Deepak Kumar** S/o- Late Rajesh Yadav who is lying in judicial custody since 19.03.2026 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. The informant has alleged that all the accused persons including the petitioner armed with lathi-danda and countrymade pistol physically assaulted him and the present petitioner 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.

3. At the outset the Ld. Counsel for the petitioner has certified that previously an anticipatory bail application filed on behalf of the petitioner was dismissed as withdrawn by this Court in A.B.A. No. 315/2026 and except this no any other regular or anticipatory bail has been filed on behalf of the petitioner before this Court or before any other Court including the Hon'ble High Court. He also certified that **the petitioner has one criminal case pending against him in which he is on bail.** He further submits that the petitioner is innocent and has not committed any offence and further that he has been falsely implicated in the present case. That the petitioner is a tempo driver. That no case u/s 109 of B.N.S. is made out against the petitioner. That the present petitioner is lying in judicial custody since 19.03.2026. Therefore the Ld Counsel pleads that the present petitioner be enlarged on bail.

4. The Ld. PP has opposed the bail application of the petitioner and submits that the petitioner is a named accused of the F.I.R. and there are specific allegations of firing against him. That the investigation in the case is continuing.

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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 from the place of occurrence.

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

6. 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 firing 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 from the place of occurrence. That the present petitioner is lying in judicial custody since 19.03.2026. That the petitioner has one criminal case pending against him as per para 3 of the present bail application.

7. Therefore, considering the seriousness of the offence, the nature of allegations and in the totality of the facts and the circumstances, I am not inclined to accept the present bail application and hence the present petition is hereby **Rejected**.

Dictated

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