

**IN THE COURT OF
DISTRICT & ADDITIONAL SESSIONS JUDGE-I
MUNGER, BIHAR**

Anticipatory Bail Application No. 695 of 2026

Gulshan Kumar Vs State of Bihar

Muffasil P.S. Case No. 111 of 2026

Order dated: 02.06.2026

ORDER

02.06.2026

The present Anticipatory Bail Application has been preferred by Petitioner namely **Gulshan Kumar** s/o Vidya Mahto who is apprehension of arrest in connection with Muffasil P.S. Case No. 111 of 2026 under Sections 1191(2)(3), 190, 127(2), 117(2), 115(2), 109(1), 118(1), 126(2), 351(2), 303(2), 352 & 3(5) of BNS, pending in the Court of Ld. C.J.M., Munger. Learned Counsel for the Petitioner is present on calling and Learned Additional Public Prosecutor on behalf of the State is also present.

As per the Bail Application, it is submitted that the Petitioner is innocent and he has not committed any offence and falsely implicated in this case. He further submits that there is case and counter case between both sides vide Muffasil P.S. Case No. 112 of 2026. From the fact alleged in the FIR no case under sections 19, 118(1) of BNS can be made against the Petitioner. There is no specific allegation of any overact against the Petitioner and co-accused persons granted bail earlier by this Court. In para-2 of the Application, it is certified that the Petitioner has not previously filed any Bail Application before this Court or before Hon'ble High Court of Patna. The Petitioner have no criminal antecedent. The Petitioner is ready to furnish the bail bond and he is also ready to comply with direction of this Court. Hence, it is prayed to enlarge the Petitioner on Anticipatory Bail.

Learned Additional Public Prosecutor on behalf of the State vehemently opposed the present Bail Application

As per the written application of the Informant, the case of the prosecution is that the Informant namely, Pandav Mahton @ Pandav Kumar Singh alleged that Gulshan Kumar, Vidya Mahto, Meera Devi, Lakhindra Mahto, Manoj Mahto, Sanoj Mahto, Rajeev Kumar, Manni Mahto, Saurav Kumar, Akul

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Mahto, Rohit Kumar, Suraj Kumar, Kariman Kumar, Akhilesh Kumar Mithilesh Mahto, Nand Kishor Mahto and Rishu Kumar all were stated to abuse and Gulshan Kumar assaulted with pistol butt on the Informant's head which resulted into head injury. Vidya Mahto assaulted with brick Sudo Mahto which resulted into head injury. Lakhindra Mahto assaulted with tractor rod Maalik Mahto which resulted into head injury. Manoj, Sanoj and Rajeev Mahto assaulted with fists Maalik Mahto which resulted into became unconscious and rest accused persons assaulted the Informant and his family members and snatched a golden chain from neck of Informant's mother. He further stated that the reason behind this incident due to installation of transformer.

Heard both sides and perused the records.

From the perusal of case record, it is clear that the Petitioner is named in FIR along with others and there is allegation against him to abuse and assault the Informant and his family members. All prosecution witnesses in paras-2, 7 & 8 of the case diary have supported the case of prosecution. Para-48 of the case diary contained one criminal antecedent against the Petitioner except this case. Para-54 of the case diary contained injury report of Khako Mahto in which doctor has opined the injury is grievous in nature which is caused by hard and blunt substance and injury report of Pandav Singh and Mallik Mahto in which doctor has opined the injuries are simple in nature which is caused by hard and blunt substance. There is case and counter case between both sides. The co-accused persons granted bail by this Court and this case is still under investigation.

Therefore, considering aforesaid facts and circumstances of the case as discussed above, nature of the allegation, present status of this case, no criminal antecedent against the Petitioner as per para-3 of the bail application, nature of injury, granting of bail earlier of co-accused persons by this Court as well as case and counter between both sides, I am of the view that there is

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direct allegation against the Petitioner to assault with pistol butt and there is case and counter case between both sides and other co-accused persons granted bail earlier by this Court and court below. Hence, the the Petitioner deserves the privilege of Anticipatory Bail with conditions.

Accordingly, the prayer of bail of the Petitioner namely **Gulshan Kumar** stands **Allowed** with conditions on furnishing bail bonds of Rs.10,000x2/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned with condition that;

1. One bailor will be close relative of the Petitioner who undertakes how he/she is related with the Petitioner.
2. The Petitioner undertakes not to threat the prosecution witnesses after his release and co-operate the police during investigation.
3. Surrender within Twenty (20) days from the receipt of the order to Court below.

Dictated,

Sd/-

District & Addl. Sessions Judge-I, Munger

Dated: 02.06.2026

Date of Order/Judgement	02.06.2026
Uploading Date	03.06.2026
Uploaded By	Neeraj Kumar Pandey (Steno)