

In the Court of District & Addl. Sessions Judge — VIII
Muzaffarpur, Bihar
Shubham Kumar Vrs ... State of Bihar.

B.P. No. 650/2026

Shubham Kumar

S/o Kundan Kumar

..... Petitioner.

Vs.

The State of Bihar.

..... Opposite Party.

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For the Petitioner : Sri Vinay Kumar, Ld. Advocate.

For the O.P. (State) : Sri Arun Kumar Singh, Ld. Addl. P.P.

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ORDER

08/05/2026

1. The bail petition filed on behalf of the custody accused namely **Shubham Kumar** who is in judicial custody since **16.04.2026** in connection with **Kanti P.S. case No. 214/2026 dated 12/04/2026** registered u/ss **329(4), 126(2), 115(2), 109, 303(2), 76, 117(2)/ 3(5) of the BNS** praying therein to enlarge the petitioner on bail. Copy of the same supplied to the State.
2. Heard the Ld. counsel for the petitioner and the Ld. Addl. P.P. for the State.
3. The prosecution case, in short, is that on 01-04-26, at around 10 pm, by breaking the latch of the main gate of her house, all the accused persons armed with sticks, rods and weapons, forcibly entered the house and attacked her husband and her daughter (age 21 years) with the intention of killing. Kundan Kumar and Shubham Kumar were continuously attacking my husband with an iron rod and a sharp knife in their hands. Meanwhile, Shivam Kumar threw my daughter on the ground by pulling her hair and started kicking and punching her. While she was trying to save her daughter, Kundan Kumar and Shubham Kumar threw her husband Chandan Kumar on the ground and started tightening the towel around his neck. On tightening the towel, her husband started choking and struggling. After that, Shubham Kumar snatched the gold Hanuman (weight 100 grams) from my husband's neck. 6 grams) and took it away and broke the lock of the shop and looted ₹7000 kept in it. Then she started shouting loudly to save her husband and went among those people to save my husband's life, then Shubham Kumar pushed her and made me fall and after removing her saree, she stripped

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me naked and said that if you shout too much then I will rape you. Hearing my shouts, people from the vicinity came and everyone ran away from the house. Somehow we saved our lives. In this incident, my husband Chandan Kumar has a lot of internal injuries and my daughter's left leg is broken, for which I am getting her treated at Kanti PHC and SKMCH Hospital, Muzaffarpur. Hence this case.

4. Ld. counsel for the petitioner submitted he is innocent and has not committed no offence. He is further submitted that the petitioner has not filed anticipatory bail petition before the Hon'ble High Court, Patna and also before the Hon'ble Supreme Court of India but the anticipatory bail petition was rejected after that no any anticipatory bail or regular bail has been filed before the court. It is further submitted that the prosecution case is completely false and concocted and there is no any criminal antecedent against the petitioner and the petitioner is in judicial custody since **16.04.2026**. Hence, prayer for bail to the petitioner.

5. On the other hand, Ld. Addl.P.P. opposed the prayer for bail.

6. Heard, it is stated that petitioner is having clean antecedent and he is in custody since 16.04.2026. It is stated that the present along with the other co accused petitioner entered in the shop of the petitioner on 01.08.2026. Petitioner and the co accused attacked on her husband with iron rod. The petitioner assaulted the informant's daughter and took away gold and cash from the shop. It is stated that as per para 08 of the petition the father of this petitioner filed Kanti P.S case no. 215/2026 against the informant. This case is counter to that case. It is stated that both the parties have compromised the case. CD was called in which they stated informant Guriya Devi and Shrishti Kumari were examined but did not inform about the assault. There is no opinion regarding nature of the injury. Hence, in view of the clean antecedent, custody period and the alleged general nature of the allegation the present bail petition is allowed.

(Dictated)**Sd/-****(Protima Parihar)****D&ASJ-VIII****Muzaffarpur****08.05.2026**