

Schedule XLII-High Court (J) 9a [Old (M) 164.]

FORM OF ORDER SHEET

IN THE COURT OF DISTRICT AND ADDITIONAL SESSIONS JUDGE- IIIrd, NALANDA

Present:- Ankur Gupta, District & Addl. Sessions Judge – IIIrd Nalanda at Bihar Sharif.

B.P. No. 768/2026

Kishal Kumar & Ors. V/s State of Bihar

Bihar P.S. Case No. 116/2026

Sl No.	Date of Proceeding	Order with the signature of the Court	Office action taken with date
1	2	3	4
	15.06.2026	Sri Krishna Murari, Ld. Counsel for the petitioners/accused. Sri Amir Singh, Ld. Addl.P.P for the State. (1) This regular Bail application has been filed on behalf of the petitioners, namely 1. Kishal Kumar @ Kishlay Kumar, S/o.- Subodh Yadav, and 2. Chhotu Yadav, S/o.- Bhallu Yadav, Both R/o: Village- Nakatpura, P.S.- Bihar, Dist- Nalanda, who are in custody in connection with Bihar P.S. Case No. 116/26 registered U/S- 191(2), 191(3), 190, 126(2), 115(2), 125(b), 109(1) B.N.S. & 25(1-b)(a), 26, 27, 35 of Arms Act. <u>PROSECUTION CASE</u> (2) Prosecution case in brief is that on 01.03.2026, A.S.I. Ashutosh Choube received information that some persons were pelting stones on the road outside Nakatpura Water Park and that gunshots had also been fired. Upon receiving the said information, the informant along with other police personnel, reached the spot and found that some persons were pelting stones and assualting passengers sitting in cars, while others were firing bullets. The informant made an appeal to maintain law and order and conducted a search of vehicles present at the spot. During the search, one rifle was recovered from a person sitting in a Scorpio vehicle, along with a live cartridge. Three empty cartridges were also recovered from the spot. Further, three rifles were recovered from the canteen of the water park where Mohammad Arif was present. Mohammad Arif stated that one of the rifles belonged to him, while the other two rifles belonged to	

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	Pulvindar Singh and Pradip Singh. It was further stated that they were security guards of Yashir Imam and while returning, villagers started pelting stones, due to which they had to fire in self-defence. It was also stated that Pankaj Kumar and Sooraj Kumar had organised a programme of “Roshan Rohi”, and they had come as chief guests. Roshan Kumar alias Roshan Rohi, Pankaj Kumar and Suraj Kumar were found hiding in a room within the water park. From the available video footage, some persons were found pelting stones and assaulting others with Lathis, and the present petitioners are alleged to be one of those miscreants. <u>SUBMISSION OF THE COUNSEL OF THE PARTIES</u> (3) The learned counsel for the petitioners has prayed for bail on the following grounds: ● That the petitioners are innocent and have not committed any offence. ● That no regular or anticipatory bail application has been filed earlier before this Court or any superior court. ● That the petitioners have no criminal antecedent. ● That the petitioners are in custody since 25.05.2026. ● That nothing has been recovered from the possession of the petitioners. ● That the petitioners were not present on the place of occurrence at the time of incident. ● That the alleged sections are not applicable against the petitioners. (4) On the other hand, the learned APP has vehemently opposed the bail petition and has submitted that the offences are serious in nature and therefore the petitioners do not deserve the privilege of bail. <u>MATERIAL ON RECORD AND FINDINGS</u> (5) From the perusal of the case diary, it transpires that the informant and witnesses have supported the prosecution case. There is general	
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	allegation against the petitioners. Petitioners were not arrested on the spot. (6) Considering the allegation against the petitioners are general in nature, that other co-accused persons have already been granted bail and that the Petitioners are in judicial custody since 22.05.2026, this Court is inclined to grant bail. Accordingly, the bail petition is allowed. The petitioners are directed to be released on bail on furnishing bail bond of ₹10,000 with two sureties of like amount each, to the satisfaction of the learned trial court. Copy of order be sent to the Ld. Concerned Court. Order be uploaded on CIS. (Dictated & Corrected) (Ankur Gupta) District & Additional Sessions Judge-III Nalanda, Bihar Sharif <table><tr><td>Date of Judgment/Order</td><td>15.06.2026</td></tr><tr><td>Date of Reserving Judgment/Order</td><td>15.06.2026</td></tr><tr><td>Uploading date</td><td>16.06.2026</td></tr><tr><td>Uploaded by</td><td>Kanchan Kumari</td></tr></table>	Date of Judgment/Order	15.06.2026	Date of Reserving Judgment/Order	15.06.2026	Uploading date	16.06.2026	Uploaded by	Kanchan Kumari	
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