

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 Biharsharif.****A.B.P. No. 1132/2026****Kishal Kumar & Others V/s State of Bihar****Biharsharif 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
	23.06.2026	Sri Viren Kumar, Ld. Counsel for the petitioner/accused. Sri Amir Singh, Ld. Addl.P.P for the State. (1) This Anticipatory Bail application has been filed on behalf of the petitioner namely 1. Md. Yasir Imam, S/o- Md. Islam, resident of Mohalla- Kagzi, P.s.- Bihar, Distt.- Nalanda in connection with Bihar P.S. Case No. 116/2026 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 Pulvindar Singh and Pradip Singh. It was further stated that they were security guards of Yashir Imam and while returning, villagers started	

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	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 “Raushan Rohi”, and they had come as chief guests. Raushan Kumar alias Raushan 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 petitioner has prayed that anticipatory bail may be granted to the petitioner and has submitted as under: ● The petitioner is innocent and has not committed any offence. ● The petitioner has not filed any regular or anticipatory bail application either before this Court or before the Hon’ble Patna High Court. ● The petitioner has five criminal antecedents. ● That the petitioner is not named accused in the F.I.R. ● That on the date of occurrence there was Holi Mahotsav Programme in Smart City Water Park Nakatpura and organiser of the programme had invited the petitioner as Cheif Guest. In the said programme Raushan Rohi was the singer. When the petitioner proceeded from the water park after the programme was over, then local people attacked to petitioner’s vehicle and started assaulting the petitioner and other persons with him. Somehow the petitioner’s security guard escorted him back to water park otherwise the petitioner might have been killed by the unsocial elements who attacked the petitioner’s car. ● That the local people also attempted to snatch the licensed fire arms	
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	from the possession of the petitioner's private security guard. ● That the security guards had fired in self-defence in order to save the petitioner's life. ● It was also submitted by the learned defence counsel that for firing by the security guards, another case has been registered vide Biharsharif P.S. Case No. 119/26 in which compromise has already been filed. ● When the police arrived, the petitioner was present in the water park and the police safely rescued the petitioner from the water park, after which the petitioner left for his home. ● That in the entire F.I.R. and the case diary no overt act either verbal or physical has been lodged against the petitioner. ● That the petitioner was not armed with any weapons. ● That the security guard of the petitioner and his driver have been granted bail by the then Additional Sessions Judge-III. ● That the arms carried by the security guards of the petitioners were licensed. (4) On the other hand, the learned APP has vehemently opposed the bail petition and has submitted that the offence is serious in nature and therefore the petitioner does not deserve the benefit of anticipatory bail. <u>MATERIAL ON RECORD AND OBSERVATIONS</u> (5) From the perusal of the record, it transpires that the present case has been registered for offences 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. From the perusal of the case diary, it transpires that the petitioner's cavalcade was attacked by local people with bricks and stones and some of the miscreants had also resorted to fire. The bodyguards of the petitioner had also resorted the firing in self-defence. There is no material on record against the petitioner in the entire case diary except that his	
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bodyguards had resorted the firing. The petitioner is not even named in the F.I.R. The bodyguards have already been granted bail and it has come in the case diary that the arms they were carrying, were duly licensed. Thus, as per the case diary, the petitioner was not an assailant rather a victim of the assault.

(6) Considering all these facts, the anticipatory bail petition is **allowed**. The petitioner is directed to be released on anticipatory bail on furnishing a bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of like amount to the satisfaction of the learned court concerned, in the event of his arrest or surrender, within four weeks from the date of this order.

Observations made herein shall have no bearing on the merits of the case.

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

Date of Judgment/Order	23.06.2026
Date of Reserving Judgment/Order	23.06.2026
Uploading date	24.06.2026
Uploaded by	Kanchan Kumari