

**IN THE COURT OF SESSIONS JUDGE, NALANDA AT
BIHARSHARIF**

A.B.P. No. 1159/2026

Arising out of Ben P.S. Case No. 118/2026

Anish Kumar & Anr. Vs. State of Bihar

07.07.2026

1. Learned counsel for the petitioners pressed the petition dated 04.07.2026 for withdrawing present anticipatory bail application with regard to the petitioner namely Anish Kumar. Accordingly, prayer of anticipatory bail with regard to the petitioner Anish Kumar is dismissed as withdrawn. His name shall be deleted from the present anticipatory bail petition.

2. Heard learned counsel for the petitioner, Sanjay Kumar, who is apprehending his arrest in connection with Ben P.S. Case No. 118/2026 registered for the offences punishable u/s 115(2), 117(2), 109(1), 352, 351(2), 3(5) of the B.N.S. And also heard learned P.P. for the State.

3. Prosecution case, in short, is that on 15.05.2026, the petitioner and two co-accused persons abused and assaulted husband of the informant with butt of gun, iron rod and bamboo. Husband of the informant sustained injuries upon his head, nose and both hands.

4. Learned counsel for the petitioner submits that earlier the petitioner has not filed any anticipatory or regular bail petition either before the court of sessions or before the Hon'ble High Court. The petitioner has no criminal antecedent. Learned counsel further submits that the the alleged sections are bailable except Section 109(1) of the B.N.S. added only to make the case non-bailable. The petitioner is a handicapped person. The wife of petitioner has filed a complaint vide Case No. 408(C)/2026 against the husband and son of the informant, which is pending in the court. The petitioner is a simple labourer, who works as a labourer in his village. Hence, the petitioner be granted anticipatory bail.

5. On the other hand, learned P.P. assisted by learned counsel for the informant, opposed the prayer for bail. It has been submitted that three grievous injuries have been found on the person of the victim.

6. Perused the case record. As per allegation, the petitioner and other co-accused assaulted the husband of the informant with butt of gun, iron rod and bamboo with intention to kill him. Witnesses in case diary have supported the prosecution version. From injury

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report of the victim, it appears that he sustained eight injuries including three grievous in nature on both forearms and nose. The case is under investigation. Statement has been made in para 3 of the bail petition that the petitioner has clean antecedent.

7. Considering the aforesaid facts and circumstances of the case and nature of allegation, this court is not inclined to grant anticipatory bail to the petitioner. Hence, the prayer for anticipatory bail of the petitioner, Sanjay Kumar, is hereby **rejected**.

(Dictated & corrected)

Sd/-

(Sushant Kumar)

Sessions Judge,
Nalanda, Biharsharif.

Date of Judgment/ Order	07/07/2026
Date of Reserving Judgment/Order	07/07/2026
Uploading Date	09/07/2026
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