

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

A.B.P. No. 1403/2026

Arising out of Chhabilapur P.S. Case No. 91/2026

Raja Kumar @ Nitish Kumar Vs. State of Bihar

**Present : Sushant Kumar
Sessions Judge, Nalanda**

Raja Kumar @ Nitish Kumar -----Petitioner

Vrs.

The State of Bihar ----- Prosecution/O.P.

For the Petitioner : Md. Nusrat Perwaiz, Ld. Advocate.

For the State : Sri Anuj Kumar, Ld. P.P.

20.07.2026

1. Heard learned counsel for the petitioner, Raja Kumar @ Nitish Kumar, who is apprehending his arrest in connection with Chhabilapur P.S. Case No. 91/2026 registered for the offences punishable u/s 126(2), 115(2), 109(1), 352, 351(2), 3(5) of the B.N.S. Also heard learned P.P. for the State.

2. Prosecution case, in short, is that 30.05.2026, the petitioner and four co-accused persons attacked upon brother of the informant. When the informant reached there, the accused persons also assaulted him with knife upon his head. His brother was also assaulted by knife upon his nose.

3. 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 Court. The petitioner has no criminal antecedent. Learned counsel further submits that the petitioner is innocent and has committed no offence and has falsely been implicated in the present case due to enmity. The allegation made in the F.I.R. against the petitioner is entirely false and concocted and has got no truth at all. The alleged sections are bailable except Section 109(1) of the B.N.S., which has got not applicable against the petitioner and has purposely added to make the offence grave and non-bailable. The alleged occurrence has taken place on 30.05.2026 and the F.I.R. has been lodged on 02.06.2026 at 10:25 hrs., i.e., after two days. Hence, the petitioner be granted anticipatory bail.

4. On the other hand, Learned P.P. opposed the prayer for anticipatory bail.

P.T.O.

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5. Perused the case record. As per allegation, all the accused persons including the petitioner assaulted the informant with knife upon his head and his brother upon his nose. The witnesses in case diary, have supported the prosecution version. The injured, i.e., brother of the informant, in his statement vide para 6 of the case diary, has stated that all the accused persons assaulted him and the petitioner assaulted him with knife upon his nose and his brother upon his head. From injury report of the informant and his brother Puna Kewat, it appears that the informant sustained multiple cut injuries over left side of his head and victim Puna Kewat also sustained cut injury upon his face. From para 47 of the case diary, it appears that the petitioner is not accused in any other case. The case is under investigation.

6. 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, Raja Kumar @ Nitish Kumar, is hereby **rejected**.

(Dictated & corrected)

Sd/-

(Sushant Kumar)

Sessions Judge,
Nalanda, Biharsharif.

Date of Judgment/Order	20/07/2026
Date of Reserving Judgment/Order	20/07/2026
Uploading Date	21/07/2026
Uploaded by	Steno