

IN THE COURT OF SESSIONS JUDGE, PATNA

Anticipatory Bail Petition No.1014 of 2026.

Vikash Kumar

..... Petitioner.

Versus

The State of Bihar

**Order
No.**

Date

O R D E R

08 30-03-2026

- 1.** The **petitioner, Vikash Kumar**, apprehends arrest in connection with **Buddha Colony P.S. Case No. 96 of 2026** instituted by Police Inspector Pallav for offences under Sections 109, 118(1), 190, 191(3) of the Bharatiya Nyaya Sanhita, 2023 (BNS) as well as Section 25(1-B)(a) & 27 of the Arms Act against 15 unknown persons.
- 2.** Heard Sri Satya Prakash Narayan, learned counsel for the petitioner and Sri Rajesh Kumar, learned Public Prosecutor for the State.
- 3.** The prosecution's case, as outlined by the informant Pallav, Police Inspector and current SHO of Buddha Colony Police Station, is as follows: On 16.02.2026, at 23:36 hours, he left the police station for a night round. While near Digha Police Station on 17.02.2026 at 00:05 hours, a call was received on the official number from mobile no. 8539915651, reporting that a firing incident had occurred in front of Hotel Patliputra, adjacent to Gorakhnath Lane, resulting in one person being injured. To verify the information and take necessary action, Pallav proceeded from near Digha Police Station and directed S.I. Surendra Baitha, who was on night patrol, to immediately reach the location with armed personnel. At 00:15 hours, upon arriving at the scene, Pallav found S.I. Surendra Baitha present with armed force. Seven empty bullet shells and one live cartridge of 7.65 mm bore were recovered from the roadside in front of Hotel Patliputra, duly seized under a formal receipt. Local shopkeepers stated that around midnight, 14-15 individuals were engaged in a heated argument at the spot, following which 7-8 rounds of gunfire were exchanged. One person was reportedly injured, and the assailants fled in cars and motorcycles.
- 4.** Learned counsel for the petitioner submits that the FIR itself has been lodged against unknown persons. It is further submitted that on the same date of occurrence, i.e., 17.02.2026, the petitioner, who sustained four firearm injuries, also filed a case against unknown assailants. The

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**Contd....
(30-03-2026)**

petitioner was admitted to hospital on 17.02.2026 and is scheduled for discharge today, i.e., 12.03.2026. The medical report annexed with the bail application confirms multiple gunshot injuries involving the thorax, abdomen, and spine, with extensive laceration and contusion of the left lung. Learned counsel emphasizes that the petitioner has a clean criminal record.

5. Learned Public Prosecutor opposes the prayer for anticipatory bail, drawing attention to paragraph 20 of the case diary, which records the confessional statement of co-accused Harsh Kumar @ Putus. Based on his statement, a pistol allegedly belonging to petitioner Vikash Kumar was recovered. The Prosecutor further submits that CCTV footage indicates gunfire was exchanged from both sides, and the petitioner, though injured, appears to have been involved in the incident. As the investigation is ongoing and the charge sheet has not yet been filed, anticipatory bail should not be granted.
6. Considering the facts and circumstances of the case; nature of offence *i.e.*, severity of punishment in the event of conviction; rival submissions of learned counsel for the parties; and investigation is going on and charge sheet is yet to be submitted, I am not inclined to grant anticipatory bail to the above named petitioner. Accordingly, his prayer for anticipatory bail is hereby ***rejected***.

(Dictated)

Sd/-

(Rupesh Deo)
Sessions Judge, Patna

Date of Judgment/Order	30-03-2026
Date of Reserving Judgment/Order	NA
Uploading Date	30-03-2026
Uploaded by	Amjad/-