

IN THE COURT OF SESSIONS JUDGE, PATNA

Bail Petition No.1352 of 2026.

Nishu

..... Petitioner.

Versus

The State of Bihar

**Order
No.**

Date

O R D E R

02 26-05-2026

- 1.** The **petitioner, Nishu**, who is in custody since 11.05.2026, seeks bail 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.** At the outset, learned counsel for the petitioner submits that earlier the petitioner has moved before this Court for anticipatory bail vide A.B.P No.900/2026, which was rejected vide order dated 30.03.2026 and thereafter the petitioner moved the Hon'ble Patna High Court vide Cr. Misc. No.25203/2026 and subsequently moved before Hon'ble Apex Court vide SLP(Cri) No.8447/2026.
- 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 by a bullet. 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 spot with armed personnel. At 00:15 hours, upon reaching the scene, Pallav found S.I. Surendra Baitha already present with armed force. Seven empty bullet shells and one live cartridge of 7.65 mm bore were found scattered on the roadside in front of Hotel Patliputra. These were seized with a formal receipt.

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**Contd....
(26-05-2026)**

Local shopkeepers stated that around midnight, 14-15 individuals were engaged in a heated argument at the spot, after which 7-8 rounds of gunfire were exchanged. One person sustained injuries, and the assailants fled in cars and motorcycles.

- 4.** Learned counsel for the petitioner submits that from bare perusal of the FIR, it would be apparent that the FIR has been instituted against unknown. However, the petitioner's name transpired in confessional statement of co-accused Harsh Singh @ Putus, who stated that he along with the petitioner and two other accused persons fired at the injured. Based on such confessional statement of co-accused Harsh Kumar @ Putus, a pistol has been recovered from him. Moreover, the petitioner has clean criminal antecedent, who is in custody since 11.05.2026.
- 5.** For better adjudication of this bail application, office is directed to **call for case diary** along with criminal antecedent of accused-petitioner from the Investigating Officer.
- 6.** Put up this case on 03.06.2026.

(Dictated)

Sd/-

**(Rupesh Deo)
Sessions Judge, Patna**

Date of Order	26-05-2026
Date of Reserving Order	NA
Uploading Date	26-05-2026
Uploaded by	Amjad/-