

Court Of Smt. Naghma Tarannum, Addl. Sessions Judge-IV, Danapur

Bail Petition No. 195 of 2026 (Paliganj P.S. Case No. 41/2026)

Suraj Kumar, aged 27 years, s/o Ram Kumar Gupta, R/o- Purani Bazar, Paliganj, P.S.
Paliganj, Distt. Patna

..... Petitioner

Vs.

State of Bihar.....O.P

Lawyer for the accused; Sri Ravish Kumar (Adv.)

Lawyer for the State; Sri Kalam Ansari, Addl. P.P.

Present: - Naghma Tarannum, Addl. Sessions Judge-04, Danapur

ORDER

07.03.2026

1. The present application dated 11.02.2026 has been filed under Section 483 of the *Bharatiya Nagrik Suraksha Sanhita, 2023* (BNSS) on behalf of the petitioner, **Suraj Kumar**, who is in judicial custody since 25.01.2026, in connection with Paliganj P.S. Case No. 41 of 2026, registered for the offences punishable under Sections 126(2), 115(2), 109(1), 352 and 351 of the *Bharatiya Nyaya Sanhita, 2023*, pending in the Court of S.D.J.M., Danapur.
2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State. Perused the case diary and materials available on record.
3. The prosecution case, as emerging from the written complaint submitted by the informant Rakesh Kumar on 25.01.2026, to the SHO Paliganj, Police Station, is that the accused the petitioner's shop is just besides the shop of the informant and he used to restrict his customers to come to his shop, upon which on 25.01.2026 at about 11:00 a.m. while the informant asked the petitioner not to do this, but he became violent and attacked with an iron rod over his head and caused him seriously injured. The informant was taken to the hospital where his injuries got eight stiches.
4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated. No any occurrence as alleged has been taken place, rather the accused has been implicated in this false case only due to business rivalry. No any independent witness has come out

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06.03.2026

to support the prosecution version. It is also submitted that the petitioner has clean antecedents, is in custody since 25.01.2026, and undertakes to cooperate with the investigation and trial.

5. Learned Additional Public Prosecutor has opposed the prayer for bail, submitting that the occurrence relates to a attempt to cause death of the informant by attacking him with iron rod and the injured sustained serious injuries. Considering the gravity of the offence, it is urged that the petitioner may not be enlarged on bail.

6. From perusal of the FIR and the case diary, it appears that the allegation of injuries are simple in nature and that too not on vital part of the person of the informant (para 40 of the case diary). The petitioner has not any criminal history (para 15). Admittedly, there is business rivalry between the informant and the accused petitioner.

7. It is well settled that at the stage of consideration of bail, detailed appreciation of evidence is not required. The Court has to consider the nature of accusation, severity of punishment in the event of conviction, the prima facie materials on record, possibility of tampering with evidence, and likelihood of the accused fleeing from justice.

8. In the present case, considering the absence of specific motive or knowledge of causing death against the petitioner, his period of custody since 25.01.2026, and there being no material placed before this Court to indicate criminal antecedents or likelihood of absconding, this Court is inclined to grant bail to the petitioner.

9. Accordingly, the petitioner, **Suraj Kumar**, is directed to be released on bail in connection with Paliganj P.S. Case No. 41 of 2026 on furnishing bail bonds of ₹10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Danapur, subject to the following conditions:

10. (i) The petitioner shall cooperate with the investigation/trial and shall appear before the trial Court on each and every

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Bail Petition No. 195 of 2026 (Paliganj P.S. Case No. 41/2026)

Contd.
06.03.2026

date fixed, unless exempted for valid reasons.

11. (ii) The petitioner shall not directly or indirectly induce, threaten or promise any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer.

12. (iii) The petitioner shall not leave the territorial jurisdiction of the concerned District without prior permission of the trial Court.

13. (iv) In case of violation of any of the above conditions, the prosecution shall be at liberty to move for cancellation of bail.

14. The bail application is, accordingly, allowed.

15. Let a copy of this order be transmitted to the Court concerned forthwith for compliance.

(Nagma Tarannum)

Addl. Sessions Judge-IV, Danapur