

In the Court of Additional Sessions Judge III, Danapur, Patna

Present: Manoj Kumar Srivastava, A.S.J.-III, Danapur

Bail Petition No. 247/2026

Arising out of Paliganj P.S. Case No. 43/2026

Chintu Pandey @ Adarsh Kumar, aged about 30 years, S/o Vinodanad Pandey, R/o Vill Kodihra, P.S. Paliganj, Dist Patna Petitioner.

The State of Bihar

v r s.

.....Prosecution.

On behalf of Petitioner:

Sri Kumar Dharmbir, Ld. Advocate

On behalf of Opposite Party:

Md. Kalam Ansari, Ld. A.P.P.

ORDER

17-03-2026

01. The regular bail petition has been filed by the petitioner, who is in custody since 01/02/2026 in connection with the present Paliganj P.S. Case No. 43/2026, dt. 27/01/2026, registered U/s 196, 299, 191(2), 191(3), 190 of the B.N.S. and Sec. 25(1-B)(a), 26, 27, 35 of the Arms Act, which is pending in the Court of S.D.J.M., Danapur.

02. The prosecution case, as per, the written report of informant Rohiteshwar Kumar, S.I. of Paliganj P.S., in brief, is as such: On 22/01/2026 midnight at about 01:15 hrs, during night patrolling, the informant got information that some miscreants got down from a car and made firing and uttered religious and communal hatred abusive words to create communal riot situation near the Nai Masjid chowk, Paliganj. The people in the locality are in terror. The police team reached at the place of occurrence and recovered three fired bullets and seizure list was made accordingly. For the said occurrence, a sanha no. 947/2026 dated 22/01/2026 was registered. Further in the CCTV footage, the informant saw that in the alleged incident, seven persons came from Tata Punch car bearing registration No. BR01HH-8712 and three had pistol in their hands. They were firing and uttering communal hatred abusive words to create terror in the locality. Two persons have been identified as Chintu Pandey @ Aadarsh Kumar and Daya Dubey. On the basis of written report of the informant, F.I.R. was lodged and investigation started.

03. The learned lawyer of the petitioner has submitted that the petitioner is quite innocent and has committed no offence as alleged and the allegations leveled against him is totally false and baseless. Further the petitioner has not filed any bail application either anticipatory or regular in this court or in the Hon'ble High Court and no case is pending before any court. Further the petitioner is also accused in Paliganj P.S. case nos. 75/2017, 161/2021, 292/2024, Pali P.S. Case nos. 15/2022, 57/2022, 255/2024 and Khagaul P.S. Case no. 104/2016. Further submitted that petitioner has been falsely implicated in this case. Further no incriminating articles recovered from the possession of the petitioner. Further the I.O. of this case has registered this case after delay of two days without any valid explanation. There is no specific allegation against the petitioner and he has no concern with the alleged offence. Lastly, it is submitted that the petitioner is in custody without any fault and is ready to execute bail bond as per direction of the court. So, the petitioner may be enlarged on bail.

04. The learned Addl. P.P. has vehemently opposed the prayer of bail of the petitioner.

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05. Heard the Ld. Lawyers of the respective parties and perused the case record.

06. From perusal of the F.I.R., it appears that the present case has been lodged for the offence U/s 196, 299, 191(2), 191(3), 190 of the B.N.S. and Sec. 25(1-B)(a), 26, 27, 35 of the Arms Act for creating terror and communal riot in the public place by firing and uttering religious and communal hatred words. Three fired bullets have been recovered from the place of occurrence. So far case diary is concerned, para 2 of the case diary contains the re-statement of the informant. Further para 3 and 4 contain the statements of other witnesses. All witnesses have supported the prosecution case. Further para 27 of the case diary shows that the petitioner is also accused in Paliganj P.S. Case nos. 75/2017, 161/2021, 15/2022, 57/2022, 292/2024, 255/2024. Para 36 of the case diary contains the seizure list of seized mobile phone of petitioner. Para 38 of the case diary contains the confessional statement of petitioner. On perusal of entire materials on record, the court finds that the petitioner has long criminal history. Further the offence is very serious in nature alleging creation of terror and communal riot. Investigation of the case is pending.

07. Considering the aforesaid facts and the long criminal antecedents and that the investigation of the case is still pending, the bail petition filed on behalf of the above named petitioner is **rejected**. The petitioner may renew his regular bail application after completion of investigation and filing of charge-sheet against him. O/C is directed to send a copy of this order to the Court below and a copy of the same be uploaded in C.I.S.

(Dictated)

(Manoj Kumar Srivastava)
Addl. S. J. 3rd, Danapur
17-03-2026

Memo No...../ Dated...../...../.....
Copy forwarded to
the Court of.....

Seal of the Court

Sd/-
(Manoj Kumar Srivastava)
Addl. S. J. 3rd, Danapur