

In the Court of Additional Sessions Judge-II, Danapur

(Present :- Kshiprachala Anjalee, Addl. Sessions Judge-II, Danapur.)

A.B.P. No. 1093 of 2026.

(Arising out of Naubatpur P.S. Case No. 266 of 2026).

Gautam Kumar, son of Vishwanath Sharma, Resident of Village-Badipur Chiraura,
Police Station-Naubatpur, District-Patna Petitioner.

Versus.

The State of Bihar. Opp.Party.

Learned counsel for the petitioner :- Sri Rajeev Ranjan, (Advocate)

Learned counsel for the State :- Sri Ramkeshwar Prasad, (Addl. P.P.)

O r d e r.

01-06-2026. This Anticipatory Bail Petition has been filed on behalf of the above-named petitioner, who apprehends his arrest in connection with Naubatpur P.S. Case No. 266 of 2026 registered under Sections 115(2), 126(2), 127(2), 351(2), 352, 308(2), 308(3), 308(4), and 308(5) read with Section 3(5) of the B.N.S., pending in the Court of learned A.C.J.M.-VI, Danapur.

Heard the learned counsels for the parties.

It is submitted on behalf of the petitioner that earlier the petitioner has not moved for grant of his anticipatory or regular bail before this learned court or before the Hon'ble High Court. It is also submitted that there is no any bail application pending in any other Court and this is the first bail application filed on behalf of the aforesaid petitioner. It is further submitted that the petitioner is innocent and has committed no offence. The petitioner has been falsely implicated in this case. The petitioner was not present at the time of occurrence at the place of occurrence. This occurrence was committed on the instance of Lav Kush Sharma, who was presently in Judicial custody. The petitioner is ready to abide by any condition imposed by this Court. Hence, the petitioner may be given benefit of anticipatory bail.

Learned Addl. P.P. opposed the prayer of bail.

As per F.I.R., the informant Amit Kishore @ Banti, alleged that on 20-04-2026 at about 4.30 P.M., in the evening, he was sitting Kshyan Traders Hardware shop located in Chiraura Village for some work. In the meantime, Gautam Kumar arrived and started threatening him. During the altercation, he began using abusive language and said compromise the case filed with Suryakant Sharma, otherwise be prepared to face the consequences. He will shoot you as well. Stop your family members from stepping out the house. His two brothers, Raushan Kumar and Rajesh Kumar are

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constantly monitoring your house located in Maurya Vihar, and they will kill you wherever they find an opportunity. Upon hearing this, he left the place. He chased him from behind on a white Apache Motorcycle, caught him near Bhushan Automobiles, choked his neck, and engaged in a physical scuffle. He was saved by a passerby, after which he fled towards his Village. CCTV cameras are installed near both the shops at the aforementioned incident site, which can be checked. He firmly believes that Lav Kush Sharma, who is currently lodged in Beur Jail in connection with Case No. 1441 of 2025, instructed Gautam Kumar to carry out the said incident. It is hereby informed that previously, a case was registered at Phulwari Shatif Police Station by his nephew Suryakant Sharma against Lav Kush Sharma, Gautam Kumar, Harendra Kumar, Sachin Kumar and others, regarding which continuous threats to force a compromise are being received. Therefore, the informant requested to take appropriate legal action in this matter. On the basis of the written report of the informant, an F.I.R. was lodged under Sections 115(2), 126(2), 127(2), 351(2), 352, 308(2), 308(3), 308(4), and 308(5) read with Section 3(5) of the B.N.S.

It is submitted and disclosed on behalf of the petitioner that he is also an accused in connection with (1) Phulwari Sharif P.S. Case No. 1441 of 2025 and except the aforesaid, the petitioner has clean antecedent. Case diary Paragraph no. 22 also reveals the same.

Perused the record and the case diary. On perusal of the same, it transpires that prima facie the prosecution version finds support from it. There is allegation against the petitioner that he along with other threats to force a compromise of case no. 1441 of 2025. There is no injury to any person. The allegation alleged against the petitioner appears to be general and omnibus. In para-11 of the case diary, the I.O. has mentioned that upon reviewing the camera footage from the time of the incident, no scene related to the incident was found visible. Investigation in the case is still going on.

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Having considered aforesaid including the facts and circumstance of the case, and the nature of allegation against the petitioner, this Court find that this is fit case, in which anticipatory bail should be granted to the above-named petitioner. Accordingly, the above-named petitioner **Gautam Kumar**, is directed to be released on bail, in the even to his arrest or surrender within 30 days from the date of receipt/production of this order, on furnishing bail bond of Rs.10,000/-with two sureties of like amount each to the satisfaction of learned Court concerned subject to the conditions that :- (1) One of the bailors must be the from the native place of the petitioner (2) The petitioner shall file affidavit/undertaking that he should not commit similar offence in future. (3) If at any stage of the case it is revealed to the Court concerned that the petitioner has concealed his criminal antecedent to obtain bail, his bail bond shall be cancelled by the Court concerned and (4) The petitioner shall fully cooperate in the trial/investigation of the case and shall be **physically present on each and every date till framing of charge** in the case, before the trial court, failing which his bail bond shall be cancelled.

(Dictated)

Sd/

(Kshiprachala Anjalee)

Addl. Sessions Judge-II, Danapur.

