

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

Present: Smt. Pushpa Kumari, A.S.J.-III, Danapur

Bail Petition No. 873/2026

Arising out of Naubatpur P.S. Case No. 290/2026

Sunni Kumar, aged about 30 years, S/o Rajendra Sharma, R/o Vill: Samanpur Narayanpur, P.S. Naubatpur, Distt: Patna

..... Petitioner.

V/s.

The State of Bihar

.....O.P.

On behalf of Petitioner:

Sri Abhiram Kumar, Ld. Advocate

On behalf of Opposite Party:

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

ORDER

24-07-2026

The regular bail petition has been filed by the above named petitioner, who is in judicial custody since 04/07/2026 in connection with Naubatpur P.S. Case No. 290/2026, dt. 30/04/2026, registered U/Ss. 190, 191(2), 191(3), 115(2), 126(2), 262, 132, 121, 121(2) and 109 of the B.N.S., which is pending in the then Ld. Court of A.C.J.M.-VI, Danapur.

The prosecution case, as per, the written-report of informant Amit Kumar, currently posted as S.H.O., of Bihta P.S. in brief, is that: On 30/04/2026, at about 16:45 hours, he got secret information that non-primary accused namely Sunny Kumar/petitioner accused apprehending his arrest in Bihta P.S. Case no. 410/2026 has been seen at his house. To verify the same, the informant along with the police team of Naubatpur Police Station reached at his house and non-primary accused Sunny Kumar was apprehended. After being apprehended the non-primary accused Sunny Kumar petitioner/accused started to make noise and on commotion 30-40 unknown accused persons lashed with lathi and danda and other accused persons riding on motorcycle bearing Registration Nos. BR-01JC-6039 and BR-01BJ-5697 came there and started to assault with lathi and danda. The accused persons also pelted down bricks at the police personnel due to which they sustained injuries and the accused persons successfully freed Sunny Kumar. The police officials of Naubatpur Police Station informed that the culprits and attackers in the incident were Braj Kishore Kumar, Umesh Singh, Anish Kumar, Lalji Singh, Rajendra Singh and Anurag Kumar along with 25-30 unidentified accused persons. On the basis of written report of the informant, F.I.R. was instituted and investigation commenced.

The learned counsel for the petitioner submitted that the petitioner is innocent and not committed any offence as alleged. It is further submitted that allegations levelled against him is false and baseless. That the petitioner has not moved any regular bail or anticipatory bail before this court or case is pending before any court. The petitioner has had criminal antecedent of three cases vide Bihta P.S. Case nos. 10/2026 and 410/2026 and Naubatpur P.S. Case no. 348/2024. It is further submitted that petitioner is a student and had nothing to do with the alleged vehicle and seized articles from which his name arise out in Bihta P.S. Case no. 410/2026 nor any warrant of arrest asked for that case, not any requisition for remand in that case as yet, which clearly shows that petitioner's enemies tried to falsely implicate the petitioner in these cases. There is no overt act against the petitioner. Lastly, it was submitted that the petitioner is in custody since 04/07/2026 without any fault and is ready

Cont....

In the Court of Additional Sessions Judge-III, Danapur

Name of P.O.- Pushpa Kumari

B.P. No.- 873/2026

F.I.R. Naubatpur, P.S. case no. 290/2026

Sunni Kumar Vs State of Bihar

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to execute bail bond as per direction of the court. Hence, it was prayed that the petitioner be enlarged on bail.

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

Heard both side and perused the Trial Court record along with case diary. From perusal of the F.I.R., it appears that the present case has been lodged for the offence punishable U/Ss. 190, 191(2), 191(3), 115(2), 126(2), 262, 132, 121, 121(2) and 109 of the B.N.S. for assaulting the police officials with lathi, danda and bricks. So far as the case diary is concerned, para 3 of the case diary contains the restatement of the informant. Further para 4, 7, 8, 9, 38, 39, 40, 77 and 78 of the case diary contain the statements of witnesses. Para 65 of the case diary contains the injury reports of the informant-cum-victim Amit Kumar and other police officials, on perusal of injury reports it transpires that all injuries are simple in nature caused by hard and blunt object. The petitioner is in judicial custody since 04/07/2026.

Having considered the aforesaid submission including the facts and circumstances of the case, nature of accusation, the nature of injuries and period of custody, let the above named petitioner/accused be enlarged on bail upon furnishment of bail-bonds of Rs. 10,000 with two sureties of the like amount each with condition that:

01. The petitioner shall physically present till Framing of Charge.

02. One of the bailors must be of close relative.

Any observation made in this order is confined only to the disposal of this bail application and shall not affect the merits of the investigation or trial in any manner.

O/C is directed to send a copy of this order to the Ld. Trial Court and a copy of the same be uploaded on C.I.S.

(Dictated)

Sd/-

(Pushpa Kumari)

Additional Sessions Judge III, Danapur

24-07-2026

Memo No..... Dated...../...../.....

Copy forwarded to
the Ld. Court of.....

Seal of the court