

COURT OF DISTRICT & ADDL. SESSIONS JUDGE-II, BARH (PATNA)

ABP No. 520 of 2026

*Arising out of Athmalgola P.S. Case No. 128 of 2026
(u/s 115(2), 126(2), 303(2), 109, 352 & 3(5) of BNS)*

1. Gulshan Kumar @ Pipariya S/O Late Shatrudhan Paswan **Petitioner**
(Resident of Village:- Bahadurpur, P.S:- Athmalgola, Distt:- Patna)

Vs.

State of Bihar

.....**Opposite Party (O.P)**

For the petitioner : *Sri. Satish Kumar, Ld. Advocate*

For the O.P.(State) : *Sri Binod Kumar, Addl. Public Prosecutor*
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ORDER

05/08/2026

1. The anticipatory bail application has been filed on the behalf of the petitioner **Gulshan Kumar @ Pipariya** who is apprehending arrest in connection with **Athmalgola P.S. Case No. 128 of 2026** registered **u/s- 115(2), 126(2), 303(2), 109, 352 & 3(5) of BNS.**

2. Heard the Ld. Counsel for the petitioner and the Ld. APP for the state.

3. As per the FIR there is an allegation against this petitioner that he along with his associates assaulted the informant and thereby caused him severe injury. Subsequently, FIR was registered.

4. The Ld. Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that fight erupted between the parties over non-payment of borrowed sum and subsequently FIR was instituted. It is further submitted that the informant is the shopkeeper and the dispute over repayment of borrowed sum has given rise to the present case. Further, the ingredients of Sec. 109 of the BNS is not attracted against this petitioner. Hence, prays for enlarging the petitioner on bail.

5. The Ld. APP opposed the prayer of bail.

6. Heard both the sides and perused the case record as well as case diary. From the perusal of record, it transpires that dispute between the parties over the payment of borrowed sum has given rise to the present case. It further transpires that the allegation against this petitioner is omnibus in nature. Furthermore, the injury report of the victim reads as “no significant abnormality” found on the basis of report received from N.M.C.H., Patna.

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Further, it has been opined in the said report that the injury sustained by the victim were found to be simple in nature.

7. In the light of aforesaid facts, let the petitioner namely **Gulshan Kumar @ Pipariya**, be released on bail in event of arrest or surrender before the court within period of four weeks from the date of communication of this order on furnishing bail bond Rs. 10,000/- with two sureties of like amount each to the satisfaction of Ld. Trial Court subject to the conditions as specified u/s 438(2) of Cr.P.C., with further conditions (i) That one of the bailors should be the close relative of the accused petitioner (ii) that the accused petitioner shall not influence the witness of this case or temper with the evidence. (iii) The accused petitioner shall not commit an offence similar to the offence of which he is accused (iv) The accused petitioner shall remain physically present on each and every date fixed by the court and co-operate with the trial, failing which his bail bond shall liable to be canceled by the Court concerned.

Dictated & Corrected

Sd/-
(Manish Kumar)
Addl. Sessions Judge-II,
Barh (Patna)

Memo No. Dated August, 2026

Copy forwarded to : The Court of **Ld. SDJM, Barh.**

(Manish Kumar)
Addl. Sessions Judge-II,
Barh (Patna)