

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

ABP No. 646 of 2026

Arising out of **Barh P.S Case No. 256 of 2026**
(u/s 126(2), 115(2), 109, 303(2), 308(2) r/w 3(5) BNS)



Rishu Kumar @ Rishabh Kumar

S/o : Ramesh Yadav

a/a : 24 Years

(Resident of Mohalla- Dayachak, Ward No. 27, P.S: Barh, District- Patna)

..... **Petitioner**

Vs.

The State of Bihar

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

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

For the O.P.(State) : *Sri Bhupendra Paswan, Ld. Public Prosecutor*

ORDER

PRESENT: SRI SHAILENDRA KUMAR SINGH, ASJ-IV

10/08/2026

1. A petition dated **17/06/2026**, for grant of anticipatory bail filed on behalf of the above named **sole** petitioner, who is apprehending his arrest in connection with **Barh P.S Case No. 256 of 2026**, for the alleged have committed offenses punishable u/s 126(2), 115(2), 109, 303(2), 308(2) r/w 3(5) BNS, pressed today.

2. Heard, Ld. Counsel for the petitioner as well as Ld. Addl. Public Prosecutor (APP), appearing on behalf of the State.

3. Prosecution case, *in brief*, as per written report of **informant, Rohit Kumar** is that on 21/04/2026 at about 07:30-08:00 PM, near railway parking, Pintu Kumar, Raj Kumar, Rahul Kumar, Raju Kumar, Rishu Kumar & Chhotu Kumar alongwith 03 other unknown persons armed with *iron-rod & motorcycle* chain surrounded him. They attacked on him & assaulted on head, mouth & various part of body. Accused Pintu Kumar pointed *country-made pistol* on him & ordered others to kill him. Pintu snatched VIVO Mobile & Rs. 5,000/- cash from his pocket. All accused persons fled-away firing pistol, he was taken to SDH Barh from where due to seriousness of injury, he was referred to NMCH, Patna.

4. At Para- 2 & 3 of the bail petition, certificate has been given by petitioner that earlier no regular or anticipatory bail either before Ld. Court of Sessions or before Hon'ble High Court has been filed, nor any bail application is pending before any Court and he **has criminal antecedent**. Petitioner is innocent and has falsely been implicated in the present case. The petitioner is respectable person of the locality and has deep roots in society. There is no likelihood of their absconding or evading the process of law. Petitioner is ready to furnish bail bond with sound sureties & obey each and every conditions imposed by Court, if bail is granted.

5. Ld. A.P.P. appearing on behalf of State vehemently opposed the prayer of petitioner for anticipatory bail and submitted that he alongwith other co-accused persons have brutally assaulted informant, due to which he sustained injury on various part of body.

Cont'd/-...

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10/08/2026 (Cont'd/-....)

6. Case Diary (CD) & Trial Court Record (TCR) have been received. Heard, rival contentions of both the parties and perused the record. From perusal of record, it transpires that there is **direct & specific allegation** against petitioner that he alongwith other co-accused persons have brutally assaulted informant, due to which, he **sustained injury on various part of body including nose**. As per injury report attached with CD, **nasal bone of informant got fractured and injury is grievous in nature**. As per para-3 of bail petition, petitioner **has criminal antecedent**. Informant in his re-statement and other witnesses at different paras of case diary have supported the version of FIR. DSP, Barh in his supervision note at para-28 of CD has also found case to be true against petitioner for offences punishable u/s 109(1) BNS & other Section of BNS including 27 Arms Act. Investigation is still going on, new facts may emerge.

7. Considering the aforesaid facts and circumstances, **nature, gravity and seriousness of accusation**, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail on behalf of above named **sole** petitioner is hereby **Rejected**. It is, however, clarified that the observations made herein are limited to the adjudication of the present bail application and shall not prejudice the case of the petitioner at any subsequent stage of the investigation/trial and this Court has not expressed any opinion on the merits of the case.

Dictated & Corrected

 10/8/2026
(Shailendra Kumar Singh)
Addl. Sessions Judge-IV,
Barh (Patna)

Memo No. 1073 Dated 10 August, 2026

Copy forwarded to : The Court of ACJM-I, Barh for needful.

 10/8/2026
(Shailendra Kumar Singh)
Addl. Sessions Judge-IV,
Barh (Patna)

Date of Judgment/Order	10-08-2026
Date of Reserving Judgment/Order	10-08-2026
Uploading Date	11-08-2026
Uploaded by	Raushan Kar, Steno