

In the Court of Additional Sessions Judge-I, Masaurhi
Anticipatory Bail Petition No. 355/2026
[Masaurhi P.S.Case No.166/2026]

1. Luvkush Kumar, aged about 27 years, S/o- Munni Sharma,
R/o + P.S.-Bandeya, Distt.- Aurangabad

..... **Petitioner**

Versus

1. State of Bihar through Addl. Public Prosecutor

..... **Opposite Party**

Anticipatory Bail Petition Under Section 482 of BNSS

For the petitioner/s : Sri Amritesh Kumar, Ld. Advocate

For the O.P. State : Mr. Dhananjay Kumar, Addl. P.P.

ORDER

Dated: 28.07.2026

This anticipatory bail petition has been filed on behalf of the petitioner namely **Luvkush Kumar**, who is apprehending his arrest in connection with **Masaurhi P.S. Case No. 166/2026** for the offence **U/s 109 BNS and 27, 25(9) of Arms Act**, which is pending in the court of Sri Naveen Kumar, J.M.F.C., Masaurhi is being pressed today and heard.

The case of prosecution on the basis of written information given by the Chaukidar 4/4 Sanjay Paswan of Lahsuna P.S., Patna is that on 10.03.2026, in the morning at about 09:00 hrs while he was in village Harbanshpur, then an information was received that in the night of 09.03.2026, there was a wedding ceremony of Kumari Puja in which from the bridegrooms side, Arvind Singh @ Arun Singh, Raghvendra Dhari Bhardawaj @ Bablu Singh, Rajesh Singh started to fire on the stage at the time of garland ceremony. In the course of firing, two persons sustained gun shot injury, one of whom was the nephew of Rahul Kumar from the bridegroom side and one other Satyam Kumar, nephew of the girl on right hand and the both the parties have taken the victims to the hospital for the treatment. The family of the injured were told several times to file written application but they did not give any written application to the police station.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner has not moved earlier any anticipatory or regular bail petition either before this court or before the Hon'ble Court. Petitioner has no criminal antecedent as mentioned in para 3 of the bail petition. Petitioner has falsely been implicated and has not committed any offence. In the FIR it has been alleged that two children were injured but the family members of those two children have not filed the FIR. Some other co-accused have been granted bail

vide ABP No. 118/2026. Petitioner is ready to furnish bail bonds and has also given surety to the satisfaction. Prayer is made to enlarge the petitioner on bail.

On the other hand the learned Addl. P.P. for the State vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that the case of the petitioner stands on a different footage from the co-accused person who have been given the privilege of anticipatory bail.

Heard the argument of both sides and perused the case record as well as the case diary. It appears that there is specific allegation against the petitioner in the case diary that was seen carrying arms at the occasion. As per para 94 of the case diary, it contains scanned copy of the photograph wherein the investigating officer has identified the petitioner by circling the person allegedly showed in the photograph, carrying arms. Thus at this stage there appears to be specific material indicating the presence of the petitioner in the alleged occurrence. One co-accused Vikash Kumar whose confessional statement was recorded by the IO and the case diary also shows him as carrying arms, has also stated about the presence of petitioner with arms. The co-accused who have been granted bail are stated to have no such specific allegation of being armed and thus the case of the petitioner stands for different footage. Hence this court is not enclined to give the privilege of anticipatory bail to the petitioner.

Considering the aforesaid facts and circumstances, this is not apt case to grant privilege of anticipatory bail in favour of the petitioner, hence his prayer for anticipatory bail is hereby **Rejected**. Accordingly, aforesaid bail petition is hereby disposed off.

Let a copy of this order be sent to the court concerned.

(Dictated)

Sd/-

(Sankash Chandra)
(Addl. Sessions Judge-I),
Masaurhi