

IN THE COURT OF 2nd DISTRICT & ADDL. SESSIONS JUDGE, PURNEA
Anticipatory Bail Petition No - 273/2026

CIS No - 273/2026

Arising out of Barhara Kothi P. S. Case No. 167/2025

U/s - 126(2),115(2),124(1),3(5) of B.N.S

1. Shakti Swarnkar@Shakti Kumar Soni, aged 40 yrs, S/o Late Satya Nrayan Swarnkar.
R/o Thatheri Tola, Barhara, ward no. 07, P.S- Barhara.
District- Purnea, Bihar.

....Petitioner

Versus
State of Bihar

..... O.P

Appearance:

For the prosecution : Sri Rahul Raja, Ld. Addl. P.P.

For the petitioner : Sri Ajay Kumar, Ld. Advocate.

Dated :- 19-03-2026

Present :-

Deshmukh

District & Addl. Sessions Judge-2nd, Purnea.

ORDER

1. An Anticipatory bail petition, dated 09-02-2026, supported with affidavit, has been filed on behalf of the above named petitioner in connection with Barhara Kothi P. S. Case No. 167/2025, U/s- 126(2), 115(2), 124(1), 3(5) of B.N.S and was pressed today for hearing by the Ld. Counsel for the petitioner. A copy of which was also served upon to ld. Adl. P.P. Heard Sri Kumar Shibanshu, learned counsel appearing on behalf of the petitioner, as well as Rahul Raja, Ld. Addl. P.P. for the State.

2. Brief of the case, as per the F.I.R is that, on 19.07.2025, around 19:30 o'clock, there was dispute between informant's son Nilesh Kumar and Rajeev Swarnkar on which Rajeev Swarnkar started assaulting informant's son Nilesh Kumar and Deepak Kumar, who was present there with Nilesh Kumar. Mritunjay Kumar, Himanshu Kumar and Vindeshwari Mandal, gathered there after hearing noise. In the mean while Panchanand Swarnkar, Rajeev Swarnakar, Kundan Swarnakar and Shakti Swarnakar started spraying acid over the petitioner's son and gathered people upon which Nilesh Kumar got his back and right shoulder injured, Mirtunjay Kumar got his back and eye injured, Himanshu Kumar got his back and neck injured and Vindeshwari Mandal got his right eye, neck and right hand injured. All the injured peoples were taken to P.H.C, Barhara and were refer to Sadar Hospital, Purnea for better treatment.

3. Ld. Counsel on behalf of the petitioner submitted that the petitioner is innocent and committed no offence as alleged and has falsely been implicated in this

case due to ulterior motive of the police. There is bonafide land dispute between both the parties. The petitioner is ready to abide by any of the conditions which may be imposed upon him while granting bail. Hence, let the petitioner be granted bail.

4. The Ld A.P.P vehemently opposed the prayer of bail and submitted that out of 6 injured persons, 5 persons received injuries out of which only injury of Bindeshwari Mandal is grievous in nature. Hence let the prayer of anticipatory bail petition may kindly be rejected.

5. Heard the rival submission and perused. Petitioner is F.I.R named and was present on the spot. As per injury report the injury of Bindeshwari Mandal is grievous in nature and other also sustained acid injury. As ld. defence counsel admitted before the Court that all the petitioner had acid in their hand, which clearly depict the intention of the petitioner, as Acid is not a substance to carry frequently with oneself. The "trauma" of Acid attack have lasting effects on brain and body throughout the life. Para 5, 7, 15, 16, 17, 25 and 26 of Case Diary provide enough material on record. The chances of threatening the witnesses and tempering evidences can not be ruled out. Under the facts and circumstances of case and viewing the gravity and nature of the crime, the Court is not inclined to enlarge the petitioner on anticipatory bail. Hence, the prayer of anticipatory bail of the petitioner is hereby **rejected**.

6. Copy of the order along be sent to the concerned Court of Ld. A.C.J.M 1st, Purnea.

Dictated
Sd/-
(Deshmukh)
D.A.S.J-IInd, Purnea.