

In the court of Ist Addl. Sessions Judge, Sheikhpura.
Presiding Officer: Sri Neeraj Kishore
Bail Petition No. 565/2026

Jitendra Kumar @ Jitendra Prasad Vs. State of Bihar

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Arising out of Shekhopur Sarai P.S Case No. 70/2026
U/s – 126(2), 115(2), 118(1), 109(1), 303(2), 3(5) of B.N.S.

Jitendra Kumar @ Jitendra Prasad, aged about 42 years
S/o Bisheshwar Prasad
Both R/o Vill. – Sugiya
P.S. – Shekhopur Sarai
Dist.- Sheikhpura

..... **Petitioner**

Vs.

State of Bihar

..... **O.P**

Counsel for the petitioner ----- Sri Shyam Kishore Kumar , Ld. Advocate
Counsel for the State -----Sri. Shambhu Sharan Singh, Ld. Addl. P.P

ORDER

23.05.2026 Bail petition dated 20.05.2026, filed on behalf of the accused/petitioner Jitendra Kumar @ Jitendra Prasad who is in custody since 09.05.2026 in connection with Shekhopur Sarai P.S Case No. 70/2026, under Sections – 126(2), 115(2), 118(1), 109(1), 303(2), 3(5) of B.N.S. pressed today.

Pressing the bail petition, learned counsel for the petitioner has submitted that no bail petition has been filed on behalf of the petitioner either before this Sessions Division or before the Hon'ble High Court and the petitioner has no criminal antecedent. It has been further submitted that the petitioner is quite innocent and has committed no offence and has been falsely implicated in this case. It has been submitted that there is no specific allegation against the petitioner and the petitioner has been implicated due to PACS Election. It has been submitted that the informant has compromised the case with the petitioner. It has been

Shekhopur Sarai P.S Case No. 70/2026 Dated- 23.05.2026 Addl. S.J.Ist, Sheikhpura

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submitted that FIR has been instituted under Sections – 126(2), 115(2), 118(1), 109(1), 303(2), 3(5) of B.N.S. and apart from Sec. 118(1), 109(1) and 303(2) of BNS all other offences are bailable in nature and the alleged offences are not attracted against the petitioner. Learned counsel has sought to enlarge the petitioner on the privilege of bail.

On the other hand, learned Addl. P.P. has opposed the petition for bail.

Case diary has been received.

I have heard the submissions and gone through the materials available on the record, it transpires that no other bail petition of any nature is pending on behalf of the petitioner, either before this Sessions Division or before the Hon'ble High Court and petitioner does not have any criminal antecedent as revealed from Para 20 of the case diary. It transpires that the instant FIR has been instituted at the instance of informant Krishna Kumar alleging therein that on 20.04.2026 there was PACS Election and on 21.04.2026 at about 09:00 AM he left his house to switch on the Jal Nal Motor as he works as operator when accused Nityanand Prasad, Visheshwar Prasad, Jitendra Kumar, Dhrambir Kumar, Pawan Kumar, Jainendra Kumar and Jitendra Kumar S/o Nandkishore Prasad armed with lathi and iron rod, intercepted him and accused Nityanand Prasad assaulted him by iron rod at his head causing head injury and other accused also assaulted him. On hulla, when his wife Sushma Devi came to save him, accused Pawan Kumar snatched mangal-sutra from her neck.

Perusal of the case diary shows that the informant has supported his case in his restatement at Para 37 and the witnesses at Para 7 and 8 have also supported the prosecution case, but have stated that the informant was going riding on his motorcycle and the wheel of his motorcycle touched the petitioner for which an altercation took place and the petitioner and informant assaulted each other. The independent witness at Para 10 has also supported the prosecution case. The supervising authority at Para 17 has found the occurrence true. From the FIR itself, it appears that the only allegation against the petitioner is to be a member of unlawful assembly armed with weapon. No allegation of commission of any overt act has been leveled against the petitioner. The petitioner as per the FIR is not the main assailant rather one Nityanand Prasad was the main assailant, however, the witness at Para 10 has stated that the said Nityanand Prasad was not involved in the occurrence. There

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is no injury report of the injured on the record. The FIR has been instituted under Sections – 126(2), 115(2), 118(1), 109(1), 303(2), 3(5) of B.N.S. and apart from Sec. 118(1), 109(1) and 303(2) of BNS, all other allegations areailable in nature, but from materials available on the record, prima facie these allegations are not attracted against the petitioner. Moreover, the informant has compromised the case with the petitioner.

Under these circumstances considering the nature of offence and its gravity as well as the general and omnibus allegations against the petitioner, I deem it fit and proper to enlarge the petitioner **Jitendra Kumar @ Jitendra Prasad** on the privilege of bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount subject to the satisfaction of the Id. Trial Court.

Consequently, the instant bail petition dated 20.05.2026 stands **allowed**.

Let a copy of this order be transmitted to the Id. Trial Court forthwith.

Dictated

Sd/-

(Neeraj Kishore)
Addl. Sessions Judge- 1st
Sheikhpura

Memo No. _____ Dated 23.05.2026 sent to the Id. Court of C.J.M., Sheikhpura
alongwith order dated 23.05.2026 passed in BP No. 565/2026.

Dictated

(Neeraj Kishore)
Addl. Sessions Judge- 1st
Sheikhpura

Date of Judgment /Order	23.05.2026
Date of Reserving Judgment/Order	23.05.2026
Uploading date	25.05.2026
Uploaded by	Md. Reyazul Haque