

IN THE COURT OF PRINCIPAL DISTRICT & SESSIONS JUDGE,
SITAMARHI.
B.P No. 530/26.

Present:- Akhilesh Kumar Jha, Principal District & Sessions Judge.

In the matter of :-

1. Babul Kumar S/o Ram Ganesh Rai, Rs /o Puranwara, P.S-Mahindwara, Distt. Sitamarhi.....Petitioner.

V/S

State of Bihar.....Opposite Party.

Appearance:

For the petitioner:- Smt. Neetu Kumari, Advocate.

For the State:- Sri Praffula Kumar Jha, I/C PP.

Date of order or proceeding.	Order with the signature of the court.	Office action taken with date.
<u>07.08.2026.</u>	This bail petition has been filed on behalf of the petitioner namely, Babul Kumar, who is in custody since 30.03.2026 in connection with Mahindwara P.S. Case No. 140/2025 registered u/ss: 103(1), 61(2), 3(5) BNS and 27 Arms Act. 2. Heard the learned counsel for the petitioner and the learned I/C PP for the State. 3. Learned counsel for the petitioner submitted that petitioner is quite innocent and has falsely been implicated in this case. All the allegations levelled against the petitioner are false and baseless. The petitioner is not named in the FIR. His name figured in this case during course of investigation of the case. The petitioner has criminal antecedent of three cases. The petitioner is in custody since 30.03.2026. On these grounds, the learned counsel for petitioner prayed for grant of bail to the petitioner. 4. On the other hand, the learned I/C PP opposed prayer of bail and submitted that although the petitioner is not named in the FIR. But his name figured in this case during course of investigation. As per para- 36 of the case-diary, the spy disclosed that on the date of occurrence at about 7.00 PM, 5-6 persons were seen near the place of occurrence. One of them was wearing a cap and the spy disclosed his name Babul Kumar (petitioner). As per para 39 of case diary, petitioner	

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Babul Kumar in his Instagram account, was wearing cap with "Boy" logo and red-blue and black coloured slipper, which was recovered from place of occurrence. As per para 23 of the supplementary case diary, petitioner has made his confessional statement and admitted killing of informant's son along with other co-accused persons. The police submitted charge-sheet against the petitioner u/ss: 103(1), 61(2), 3(5) BNS and 27 Arms Act. On these grounds the learned I/C PP prayed for rejection of bail petition of petitioner.

5. The prosecution's case, in brief, as per Fard-beyan of the informant namely, Naresh Mandal is that on 28.8.2025, he received a phone call that some unknown person had shot his son Rahul Kumar at Morang road and the Mahindwara P.S. had taken him to SKMCH, Muzaffapur. On receiving this information, the informant with his family members reached at SKMCH Muzaffarpur, where he came to know that his son Rahul Kumar was declared dead. The informant suspected involvement of Shivnath Sah, Govind Sah, Shankar Paswan, Shravan Paswan and Dashrath Sah in the incident as they had threatened informant due to land dispute.

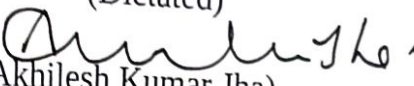
6. Perusal of record shows that although the petitioner is not named in the FIR. His name figured in this case during course of investigation in para- 36 of case-diary, in which, it is stated that petitioner and other persons were seen near place of occurrence. As per para 39 of the case diary, petitioner Babul Kumar was found wearing cap with logo "Boy" and red-blue and black coloured slipper, which was recovered from the place of occurrence and seizure list was prepared. As per postmortem report, cause of death of deceased is hemorrhage shock due to firearm injuries. The police submitted charge-sheet against the petitioner u/ss: 103(1), 61(2), 3(5) BNS and 27 Arms Act. As per para- 3 of bail petition, the petitioner has criminal antecedent of three cases.

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7. Considering the aforesaid facts & circumstances of the case, serious nature of accusation against the petitioner, this Court is not inclined to grant bail to the petitioner. Accordingly, his prayer for bail is hereby rejected.

(Dictated)


(Akhilesh Kumar Jha)

Principal Sessions Judge,
Sitamarhi.

07.08.2026

Date of Judgment /Order	07.08.2026.
Date of Reserving Judgment/Order	07.08.2026.
Uploading Date	17/8/2026
Uploaded by	Purushottam K