

**ABA No.- 399/2026**

**In the court of District & Additional Sessions Judge- V, Supaul**  
**Birpur (Balua Bazar) PS Case No.- 203/2025**

Present :(i) Name of P.O- **Sri Dev Raj**


(ii) Ld. **Additional Public Prosecutor** for the State.- Sri. Rajeev Ranjan

(iii) Ld. Counsel for petitioners **Ld. Advocate.** - Sri Binod Kant Jha

Date	Particulars / Contents of order	Remarks
<b>9.04.2026</b>	<p><b>1.</b> Vide this order, this court shall adjudicated upon the Anticipatory bail application filed on behalf of the accused namely, <b>Nitish Kumar</b>. The arguments were heard in extenso, the gist whereof are discussed here under.</p> <p><b>2.</b> The Ld. Counsel on behalf of the applicant/ accused submitted that the petitioners are innocent and they have falsely been implicated. All the aligation levelled against the petitioner is general and omnivous in nature.</p> <p><b>3.</b> Per contra, the Ld. A.P.P for the state ardently opposed the anticipatory bail application by Submitting that the offence alleged to have been committed by the petitioners are grave and serious in nature and as such the petitioners do not deserve bail.</p> <p><b>4.</b> Submission heard and record perused.</p> <p><b>5.</b> The brief fact of this case is that the instanr case was registered as Birpur (Balua Bazar) PS Case No 203/2025 on the basis of an application of the infomant <b>SI Hansraj Mukul</b> wherein he stated that on 18.06.2025 at about 06:33 PM, he got an information that some youths were made quarrel at Rampur Ward No.1 (Palaar in Balua Bazar) and thereafter, the informant along with police personnel went their and he saw that the local persons surrounded two youths and thereafter both the said boys are apprehended by the police and they disclosed their name as the applicant accused <b>Dilkhush Kumar</b> herein and <b>Ranjeet Kumar @ Khiladi</b> and the local persons informed the police that five youths were quarelling on the issue of money transactions and when police arrived there 3 youths ran away from the spot and therafter, the informant requested the local persons for joining the proceedings of search but none of the local persons were ready to join the proceedings and then the informant may of the police personnel as <b>Havaldar Satrudhan Singh &amp; H/G Ashok Kumar Yadav</b> as the independent witnesses and the apprehended persons were searched on searching the applicant accused <b>Dilkhush Kumar</b> was found in possession of the countrymade pistol and one live cartridge and when the said countrymade pistol was unloaded and empty cartridge was also recovered and thereafter the seizure list was accordingly drawn. The</p>	

**ABA No.- 399/2026**

**In the court of District & Additional Sessions Judge- V, Supaul**  
**Birpur (Balua Bazar) PS Case No.- 203/2025**

<p><b>Cont.</b> <b>9.04.2026</b></p>	<p>apprehended persons also disclosed the name of the persons who fled from the spot and they were Mukesh Kumar, Pankaj Mehta, Priyeranjan Pritam &amp; Nitish Kumar and they further disclosed that on the issue of money transaction an altercation was taken place.</p> <p>6. Heard both the sides and perused. On perusal of the case record, it becomes evident that the name of the petitioner namely, <b>Nitish Kumar</b> was surfaced in the present case by virtue of disclosure statement of the apprehended co-accused namely, Dilkhush Kumar and Randhir Kumar @ Khiladi. Even though the applicant was not arrested on the place of occurrence but his name was disclosed by co-accused who was apprehended at the place of occurrence. The investigation is still pending and the custodial interrogation, to my mind, may be required in the present case. Moreover, the petitioner carries one criminal antecedent of the like nature such as Raghapur PS case no. 08/2022 registered U/s 25(1-B)a/ 26/ 35 of the Arms Act.</p> <p>Considering the facts and circumstances of this case and also considering the fact that investigation is still pending and the custodial interrogation may be required at the stage of investigation and also having similar criminal antecedent, this court is of the opinion that the applicant do not deserve to be release on anticipatory bail. Hence, his bail application stands <b>rejected</b>.</p> <p style="text-align: right;"><b>Dictated and corrected</b></p> <p style="text-align: right;"> <b>(Dev Raj)</b> D &amp; A.S.J- V, Supaul Date: 9.04.2026</p>	
--	--	--