

	<p style="text-align: center;"><u>In the Court of Addl. Sessions Judge-I -cum- Presiding Officer-Children Court</u> <u>Supaul</u> <u>I.A. - 01/2025</u></p> <p>(Special Children Act- 04/2025 arising out of Triveniganj PS Case No.- 395/17) Abhimanyu Kumar, S/o- Ramanand Yadav, R/o- Tituwaha, Ward No.- 13, P.S.- Triveniganj, Distt.- SupaulPetitioner Versus State of BiharOpposite Party</p>	
29/04/25	<p>A regular bail petition filed on behalf of petitioner Abhimanyu Kumar, who is at safe stay since 09/01/21 in connection with Triveniganj P.S. Case No.- 395/17 u/s 341, 324, 326, 307, 436/34 of IPC and 27 of Arms Act, is fixed today for hearing.</p> <p>Heard Sri Arun Kumar Jha Advocate, learned counsel for the petitioner and Smt. Anjana Kumari, learned Special PP – Children Court for the State. Also heard Sri Suman Kumar Singh Advocate, who has filed separate <i>wakalatnama</i> for the informant.</p> <p>The prosecution case as per the FIR lodged by the informant Pintu Kumar, in brief, is that on 25/11/17 at about 5:00 o'clock, all 8 FIR named accused persons including the petitioner surrounded him and his family members near Community Hall at Shivnagar. It is alleged that on instigation of accused persons Srichandra Yadav and Rupesh Yadav, the accused persons namely Kundan Kumar, Phuliya Devi and Yadunandan Yadav surrounded him and the accused Rupesh Yadav caught hold of him. Thereafter, the accused Abhimanyu Yadav fired bullet over the informant by pistol, which hit in his right shoulder. The informant was rushed to Triveniganj hospital for treatment. FIR also contended that while fleeing from the place of occurrence, the accused persons set their thatched house on fire, so as to implicate the informant in a false case and accused persons had earlier committed murder of informant's father also for which a separate case was lodged.</p> <p>Learned counsel for the petitioner submitted that the petitioner is quite innocent and has not committed any offence and has been falsely implicated in the case. It is submitted that no other bail application on behalf of the petitioner has been filed in any court. He also submitted that petitioner has criminal history, but he was minor on the date of alleged occurrence and he is in judicial custody. He further submits that petitioner is ready to furnish good bail bonds, wherefore, it is prayed that the petitioner be enlarged on bail.</p> <p>The learned Special PP and the learned counsel for informant vehemently opposed the bail prayer of accused petitioner and prayed to reject the same.</p> <p>Heard and perused the case record. Allegedly, the case pertains to causing gun-shot injury to the informant and there is direct allegation against the petitioner to cause the said injury. Injury report of informant is available on record, which reflects that the informant / victim sustained fire-arm injury and a pallet was</p>	Contd...

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recovered from right side of his neck after incision. The case is presently fixed for evidence and so far five witnesses have been examined in this case. Out of them, four witnesses have supported the prosecution case. Thus, it appears that there is direct allegation against the accused petitioner for opening fire and thereby causing gun-shot injury to the informant / victim. It also appears that informant and official witnesses are yet to be examined in the case. Though, the petitioner was minor at the time of occurrence and he is in judicial custody, but this fact cannot be ignored that petitioner himself has admitted about his long criminal history of five (5) pending cases criminal cases vide para-3 of his bail application.

Hence, in view of long criminal antecedent and serious allegation against the petitioner, this court is not inclined to enlarge him on bail. Accordingly, the bail petition filed on behalf of the petitioner **Abhimanyu Kumar** stands **Rejected**.

Dictated

(GHAZANFER HAIDER)
ADDITIONAL SESSIONS JUDGE-I
-Cum- SPECIAL JUDGE – SC/ST (PoA) ACT
SUPAUL