

In the Court of Addl. Sessions Judge-Vth, Siwan.

Bail Petition No. 322/2026

Sarai P.S. Case No. 80/2026

Bablu Tiwari Petitioner.

Vs.

The State of Bihar O.P.

ORDER

27.04.2026

This bail petition has been filed on behalf of custodial-accused namely **Bablu Tiwari** in connection with Sarai P.S. Case No. 80/2026 registered u/s 126(2), 115(2), 109, 118(2), 351(3), 3(5) of BNS against the petitioner along with others and 30-40 unknown, put up and pressed. The petitioner is in judicial custody since **11.03.2026**.

Heard both sides.

As per the fardbeyan of informant Manu Chauhan @ Bihari recorded by S.I. Vikash Kumar Bitu at Sarai P.S on dated 05.03.2026 at about 11.10 P.M at night, the prosecution case, in short, is that on 04.03.2026 at about 4:00 P.M, the petitioner and other co-accused came at the darwaza of the informant and vandalised in the house of informant and they had assaulted to the informant due to which, on 05.03.2026, the informant and his family members went to Sarai P.S for lodging case, then the petitioner and others threatened to the informant, thereafter, at about 6:00, the petitioner and two other co-accused persons riding on a motorcycle came, in the meantime, the informant went for nature's call in his bathan and petitioner Bablu Tiwari took out a pistol and made fire the same and the informant sustained firearm injury on his right leg. Thereafter, informant's cousin Bajrangi came and brought the injured informant to the Sadar Hospital, Siwan for treatment.

Ld. Counsel of petitioner submits that the petitioner is innocent and has committed no offence rather he has falsely been implicated in this case. The petitioner has been earlier made accused in Sarai P.S. Case No. 78/26 instituted by aunty of present informant and later on he was made accused in Sarai P.S. Case No. 83/26. All sections as alleged are bailable except sections 109 and 118(2) of BNS and 27 Arms Act, which have been ornamentally added. The prosecution party is involved in illicit liquor trade, which was objected by the petitioner and his family members and due to annoyance with the same, this false case has been registered against the petitioner and others. The petitioner is in judicial custody

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since 11.03.2026. There is no chance of his absconding or tampering with the prosecution evidence. Hence, he prays for bail.

On the other hand, Ld. A.P.P as well as learned counsel of informant vehemently oppose prayer of bail.

Having gone through the aforesaid facts and submissions as advanced on behalf of both sides and after perusal of record, it appears that this case has been registered u/s 126(2), 115(2), 109, 118(2), 351(3), 3(5) of BNS against the petitioner along with others and 30-40 unknown. There is specific allegation against the petitioner that he took out a pistol and made fire on the informant, who sustained firearm injury on his right leg. The doctor opined that “bullet is seen in soft tissue in lower part of right leg of the informant, so nature of injury is grievous caused by firearm.” The informant in his re-statement and witness namely Dharmendra Kumar Prasad have supported the prosecution story that is evident from para nos. 11 and 14 of case diary. There are two criminal antecedents against the petitioner as mentioned at para no. 48 of case diary. Hence, there appears sufficient materials against the petitioner cited in the case diary.

So, considering the aforesaid facts and nature of offence, I am not inclined to enlarge the petitioner, hence it is **rejected**.

(Dictated)

Sd/-

(Umashankar)

Addl. Sessions Judge-Vth,
Siwan.

27.04.2026.