

IN THE COURT OF DISTRICT AND ADDITIONAL SESSIONS

JUDGE-X, SIWAN

B.P No.- 466 of 2026

Arising out of Assaw P.S. Case No.-59/2026

Vivek Pandey Vs. The state of Bihar

Present:-For the petitioner –Sri Pradip Mishra, Id. Advocate.

For the state- Sri Satyadev Baitha, Id. A.P.P.

Present- Ravindra Kumar Ray,

District and Additional Sessions Judge-X, Siwan.

Order

17.07.2026

This bail petition has been filed on behalf of custody accused petitioner namely **Vivek Pandey** who is in judicial custody since 01.04.2026 in connection with **Assaw P.S. Case No.-59/2026** registered u/s.- registered u/s 126(2), 115(2), 118(1), 109(1), 352, 308(5), 351(2), 3(5) of BNS and u/s 27 of Arms Act. Heard both the side on bail petition.

The Ld. Counsel appearing on behalf of the petitioner has submitted that no other bail application except this is pending before any other court and it is further submitted that the petitioner is innocent and has not committed any offence and the prosecution case is entirely false, fabricated and concocted. It is further stated that this petitioner has six criminal antecedent and there is land dispute between both the parties and all the sections applied in this case are not applicable against the petitioner. It is further stated that the petitioner has no concern with alleged occurrence nor he was present at the place of occurrence and the petitioner is highly respectable person of the locality and there is no chance of absconding or tampering with the

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17.07.2026

prosecution evidence and he is ready to furnish the bail bonds and the petitioner is in judicial custody since 01.04.2026. Accordingly, the Ld. Counsel has prayed that the petitioner may be enlarged on bail.

On the other hand, the Ld. APP for the State has vehemently opposed the prayer of bail and has submitted there is direct and serious allegation against the petitioner and there is sufficient material against the accused petitioner and as such he does not deserve bail.

Heard both the side and perused the case record. From perusal of case record it appears that in this case the FIR has been lodged in connection with **Assaw P.S. Case No.-59/2026** registered u/s 126(2), 115(2), 118(1), 109(1), 352, 308(5), 351(2), 3(5) of BNS and u/s 27 of Arms Act. The prosecution story in brief as per FIR is that on 27.03.2026 at about 03:00 PM, the informant went to Panchbenia cremation ghat with his friend, Aniket Goswami, to take a bath. At about 03:45 PM, when they returned to house, four accused persons namely Vivek Pandey, Dhoni Dubey, Ayush Singh and Amit Thakur arrived at his doorstep on a motorcycle and they started assaulting his friend, Aniket Goswami. When he came out of the house, Vivek Pandey fired at him with a firearm, and the bullet struck above his right knee, causing a gunshot injury. Thereafter, all the accused persons fled away from the spot leaving their motorcycle. It is further alleged that Vivek Pandey committed the offence because he had refused to pay the extortion money of Rs. 20,000/- demanded by them.

From perusal of case record it appears that the accused petitioner is named accused person of FIR and there is direct and specific allegation against the petitioner to assault the informant. From perusal of para 10, 11, 31, 33 and 34 of case diary it appears that the prosecution witnesses have fully supported the prosecution story and from perusal of injury report of the

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Continued informant, it appears that the informant sustained gunshot injury which is
17.07.2026 grievous in nature. The petitioner also carries seven criminal antecedent.

Therefore, considering the aforesaid facts and circumstances, I am not inclined to grant the privilege of bail to the petitioner. Accordingly, the bail petition filed on behalf of the custody accused petitioner namely **Vivek Pandey** is hereby **rejected**.

Dictated

(Ravindra Kumar Ray)
D.A.S.J.-X, Siwan.
Dated- 17.07.2026

Date of Order	17.07.2026
Date of Reserving Order	NIL
Uploading Date	18.07.2026
Uploaded By	Ankit